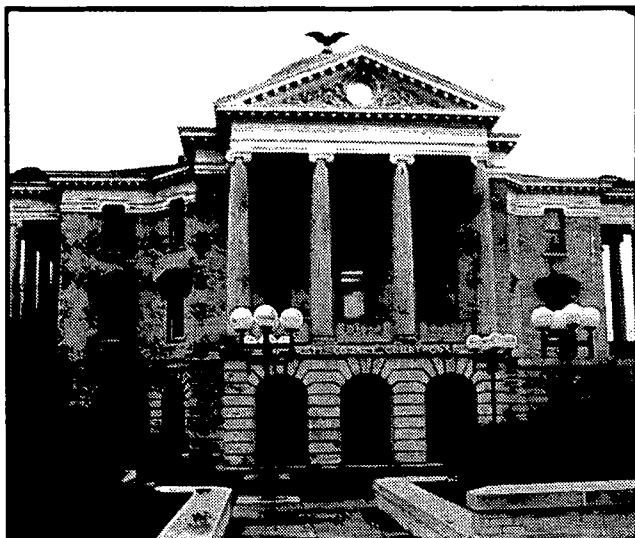
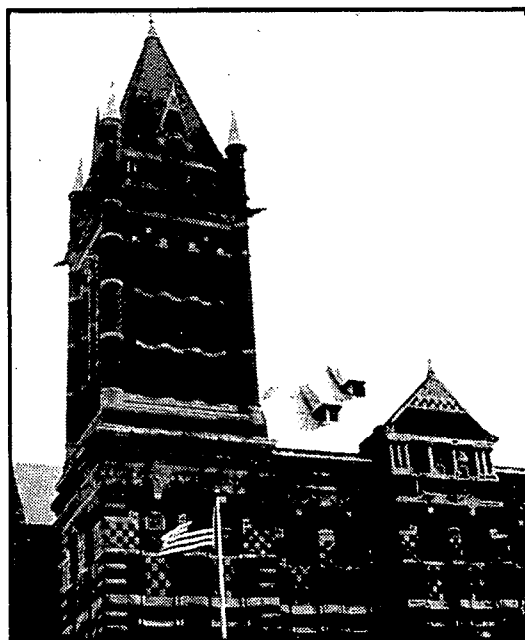


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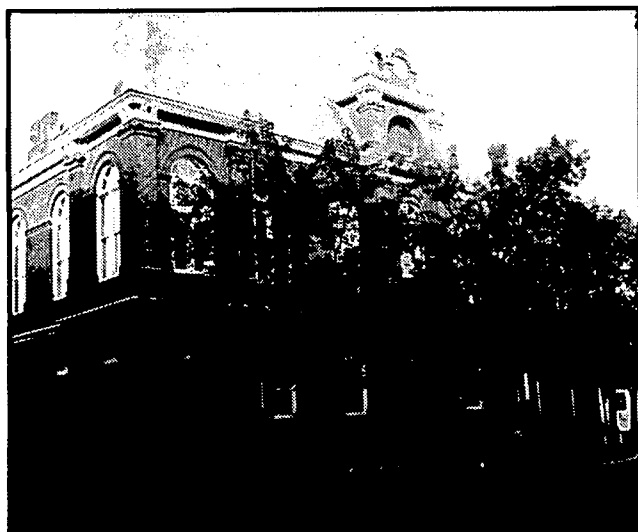


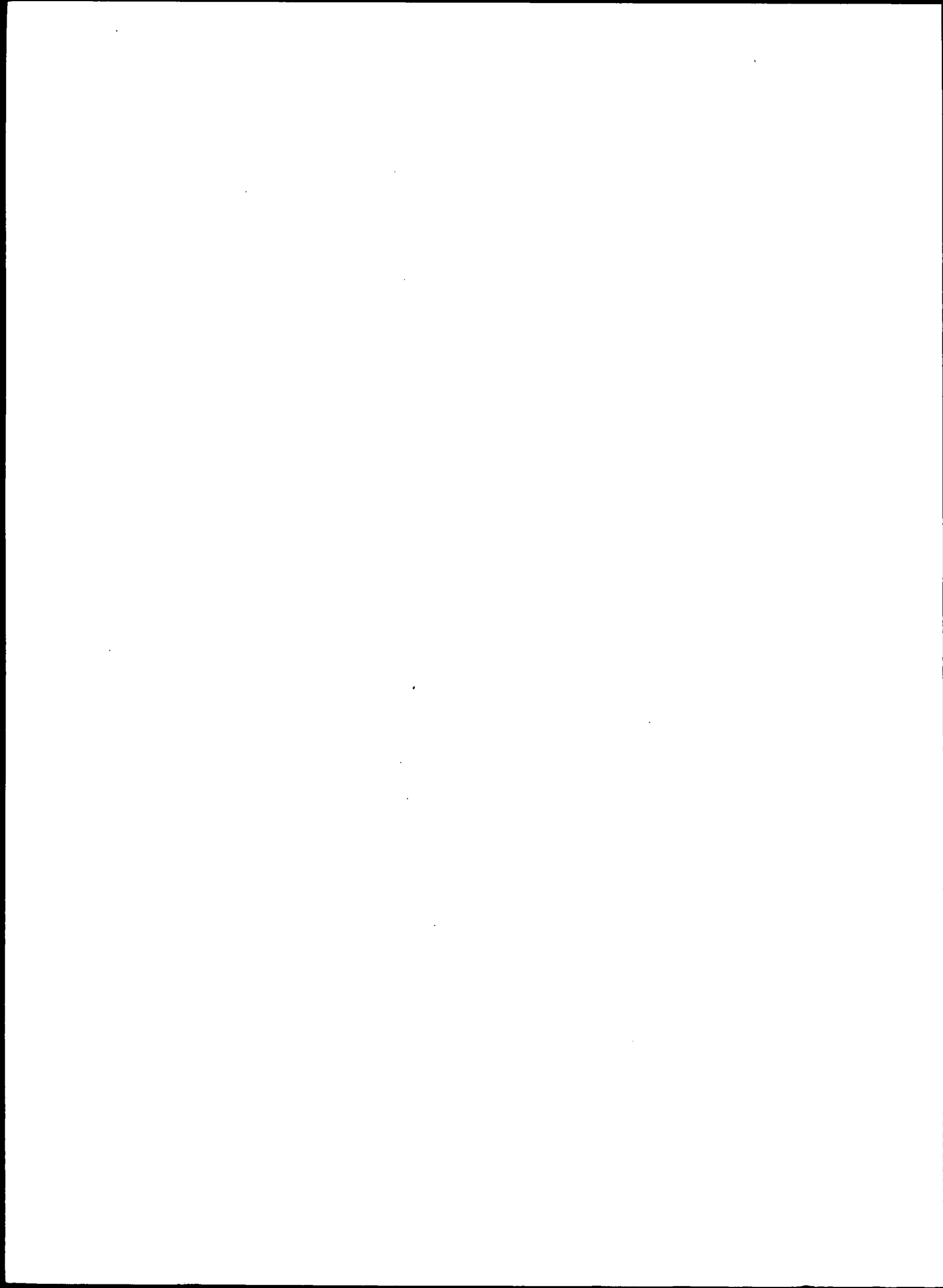
ANNUAL REPORT

1991-1992



MARYLAND JUDICIARY





ANNUAL REPORT OF THE MARYLAND JUDICIARY 1991-1992

Administrative Office of the Courts
Courts of Appeal Building
Annapolis, Maryland 21401
(410) 974-2186

Maryland Relay Service (TT/Voice) 800-735-2258

*The Annual Report of the Maryland Judiciary, 1991-1992
features photographs of the unique architectural
designs of the Fourth Judicial Circuit Courthouses.*

COVER: From Top to Bottom
Garrett County Courthouse
Allegany County Courthouse
Washington County Courthouse

Report prepared by the
Administrative Office of the Courts
Circuit Court Management Services

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Letter of Transmittal

ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401
(410) 974-2141

STATE COURT ADMINISTRATOR
GEORGE B. RIGGIN, JR.



DEPUTY STATE COURT ADMINISTRATORS
ROBERT W. McKEEVER
FRANK BROCCOLINA

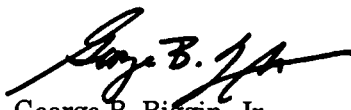
September 1, 1992

This is the sixteenth Annual Report of the Maryland Judiciary which includes the thirty-seventh Annual Report of the Administrative Office of the Courts, as required by § 13-101 (d)(9) of the Courts Article. The report covers Fiscal Year 1992, beginning July 1, 1991, and ending June 30, 1992.

The report provides data on the operation and functions of the Maryland courts. It presents statistical information on both individual courts and an overview of the Maryland judicial system as a whole. Fiscal Year 1992 was a particularly difficult time for the Judiciary due to the significant fiscal problems faced by Maryland, coupled with a continued increase in court caseloads. It is hoped this report will provide a ready source of information to better understand Maryland court structure and operations.

The Administrative Office of the Courts is indebted to clerks of the appellate courts, the circuit courts of the counties and Baltimore City, and to clerks of the District Court of Maryland for their invaluable assistance in providing the statistics on which most of this report is based. My thanks to them and to all those whose talents contributed to the preparation of this publication.




George B. Rigglin, Jr.
State Court Administrator

FAX NUMBER: (410) 974-2169
TTY FOR DEAF: ANNAPOLIS AREA p974-2609
WASHINGTON AREA P565-0450

Introduction



Robert C. Murphy
CHIEF JUDGE

COURT OF APPEALS OF MARYLAND
COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401-1699

September 1, 1992

The Sixteenth Annual Report of the Maryland Judiciary covers fiscal year 1992, beginning July 1, 1991 and ending June 30, 1992.

The report is intended to provide a detailed accounting of the functions of the judicial branch of government, its ever-increasing caseload, and the problems which it encounters in managing its complex and varied operations. The report portrays a judicial system bent on effectively and efficiently disposing of a massive caseload in the face of shrinking human and programmatic resources. In this regard, an appreciable curtailment of judicial branch activities became necessary in the FY '92 budget cycle due to unanticipated revenue shortfalls. As a result, a substantial number of positions were not filled, including existing judgeship vacancies; employee furloughs were also instituted; and badly needed new judgeships in the circuit and district courts had to be deferred.

Despite these budgetary constraints, the judges and staff worked in the most diligent fashion possible to maintain day-to-day operations at maximum capacity. To increase our judicial productivity to compensate for our inability to fill judicial vacancies, to compensate retired judges recalled to service, and to obtain additional judgeships, it became necessary to reduce judges' annual vacation allotments by five days during the calendar year 1992.

As in the past, the statistical data set forth in the report is based upon the fine efforts of the Clerks of the Circuit Courts throughout the State, and the Clerk of the District Court of Maryland; their invaluable assistance has made the preparation of this publication possible. I am pleased to present this report on behalf of all the judges and supporting staff of the courts.



A handwritten signature in cursive script that reads "Robert C. Murphy".

Robert C. Murphy
Chief Judge

JUDICIAL REVENUES AND EXPENDITURES

Judicial Revenues and Expenditures

In Fiscal Year 1992, State and local costs to support the operations of the judicial branch of government were approximately \$176.9 million. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts; the District Court of Maryland; the circuit court clerks' offices; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; and the Commission on Judicial Disabilities. There were 240 judicial positions and approximately 3,250 non-judicial positions in the judicial branch as of June 30, 1992. The State-funded Judiciary budget operates on a program budget and expended \$136,738,640 in Fiscal Year 1992. A very severe fiscal crisis that the State faced in Fiscal Year 1992 caused the Judiciary to revert approximately \$7 million generated as a result of several cost-containment measures directed by the Chief Judge of the Court of Appeals.

The two appellate courts and their respective clerks' offices are funded by two programs. The circuit court program contains the compensation, travel, and educational costs for circuit court judges, which totaled \$18,489,280, and \$38,655,739 for the costs to operate the circuit court clerks' offices, all which totaled \$57,145,019. This is the second full year in which costs for these offices are in the judicial budget. As a result of the passage

Judicial Branch Personnel in Profile	
Judicial Personnel	
Court of Appeals	7
Court of Special Appeals	13
Circuit Court	123
District Court	97
Non-Judicial Personnel	
Court of Appeals	29
Court of Special Appeals	59
District Court	961.6
Administrative Office of the Courts	166
Court-Related Offices	
State Board of Law Examiners	5
Standing Committee on Rules of Practice and Procedure	3
State Law Library	10
State Reporter	1
Circuit Courts—Local Funding	818.8
Circuit Courts	1,194.5
Total	3,487.9*

*Includes allocated, temporary, and contractual positions

of a constitutional amendment in 1990, they were transferred from the executive to the judicial budget. The largest program is the State-funded District Court, which expended \$59,735,678. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. Remaining programs fund the Administrative Office of the Courts, Maryland State Law Library, Judicial Data Processing, Standing Committee on Rules of Practice and Procedure, State Board of Law Examiners, State Reporter, and Commission on Judicial Disabilities.

The Attorney Grievance Commission and the Clients' Security

Trust Fund are supported by assessments paid by lawyers entitled to practice in Maryland. These supporting funds are not included in the judicial budget.

The figures and tables show the State revenue and expenditures for Fiscal Year 1992. With the exception of two special funds, all revenues are remitted to the State's general fund. The Land Records Improvement Fund, created by statute effective in Fiscal Year 1992, permits a surcharge by circuit court clerks for recording land instruments. The Fund is used for essential land record supplies and equipment to improve land records operations in the clerks' offices. The

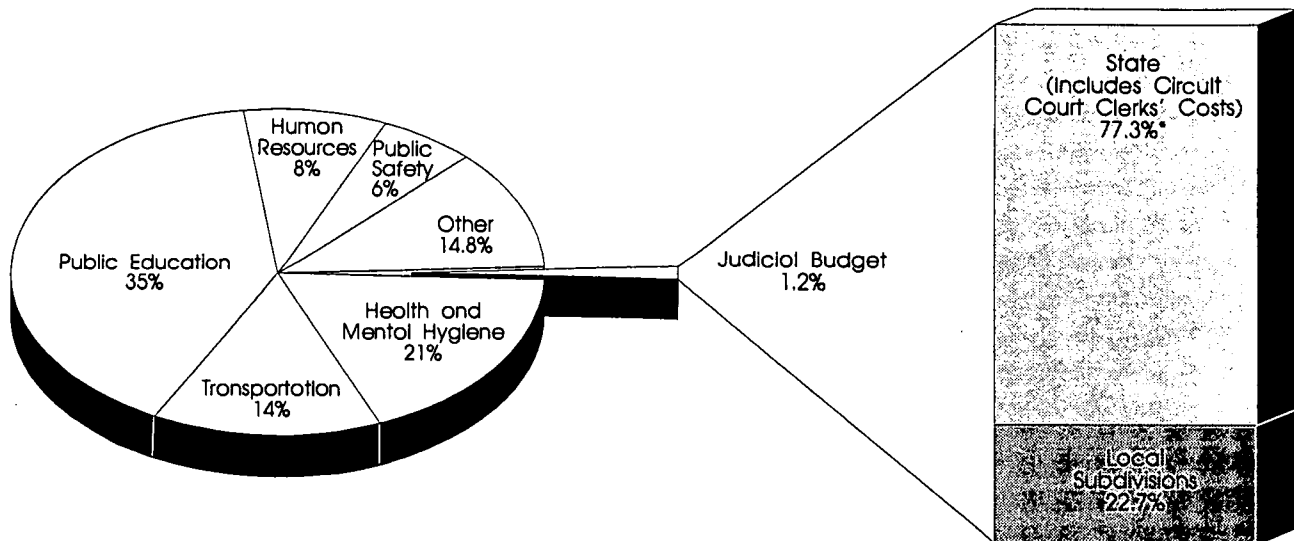
second special fund is the Victims of Crime Fund, also created by statute effective Fiscal Year 1992. The source of the funds are additional costs assessed in criminal cases, a portion of which are to be remitted to this Fund to establish programs that provide victim and witness services. Shown on the following tables is the total revenue collected by the circuit court clerks in Fiscal Year 1992 for court related and non-court related activities. A total of \$94,235,352 was collected for transfer taxes, commissions on land record transactions, State licenses, court costs, and criminal injuries compensation. In addition, the clerks' offices remitted \$139,887,273 to local govern-

ments for recordation taxes, licenses, and court fines. A total of \$2,676,583 was collected for the Land Records Improvement Fund and \$34,796 was collected for the Victims of Crime Fund. The District Court remitted \$63,936,759 in fees, fines, and costs to the State General Fund.

The total State budget was approximately \$11.6 billion in Fiscal Year 1992. The following chart reflects that the State-funded judicial budget consumes about 1.2 percent of the entire State budget. Other expenditures of the circuit courts come from local appropriations to Maryland's 23 counties and Baltimore City. These appropriations were approximately \$40.1 million in Fis-

cal Year 1992. Revenues from fines, forfeitures, and certain appearance fees are returned to the subdivisions, primarily for the support of the local court libraries. Other court-related revenues collected by the circuit courts come from fees and charges in domestic relations matters and service charges in collecting non-support payments.

The chart illustrating the contributions by the State and the local subdivisions to support the judicial branch of government shows that the State portion accounts for approximately 77.3 percent of all costs, while the local subdivisions account for 22.7 percent.

STATE FUNDED PORTION OF JUDICIAL
EXPENDITURES FOR FISCAL YEAR 1992FUNDING SOURCES FOR
JUDICIAL BRANCH

State Funded Judicial Budget

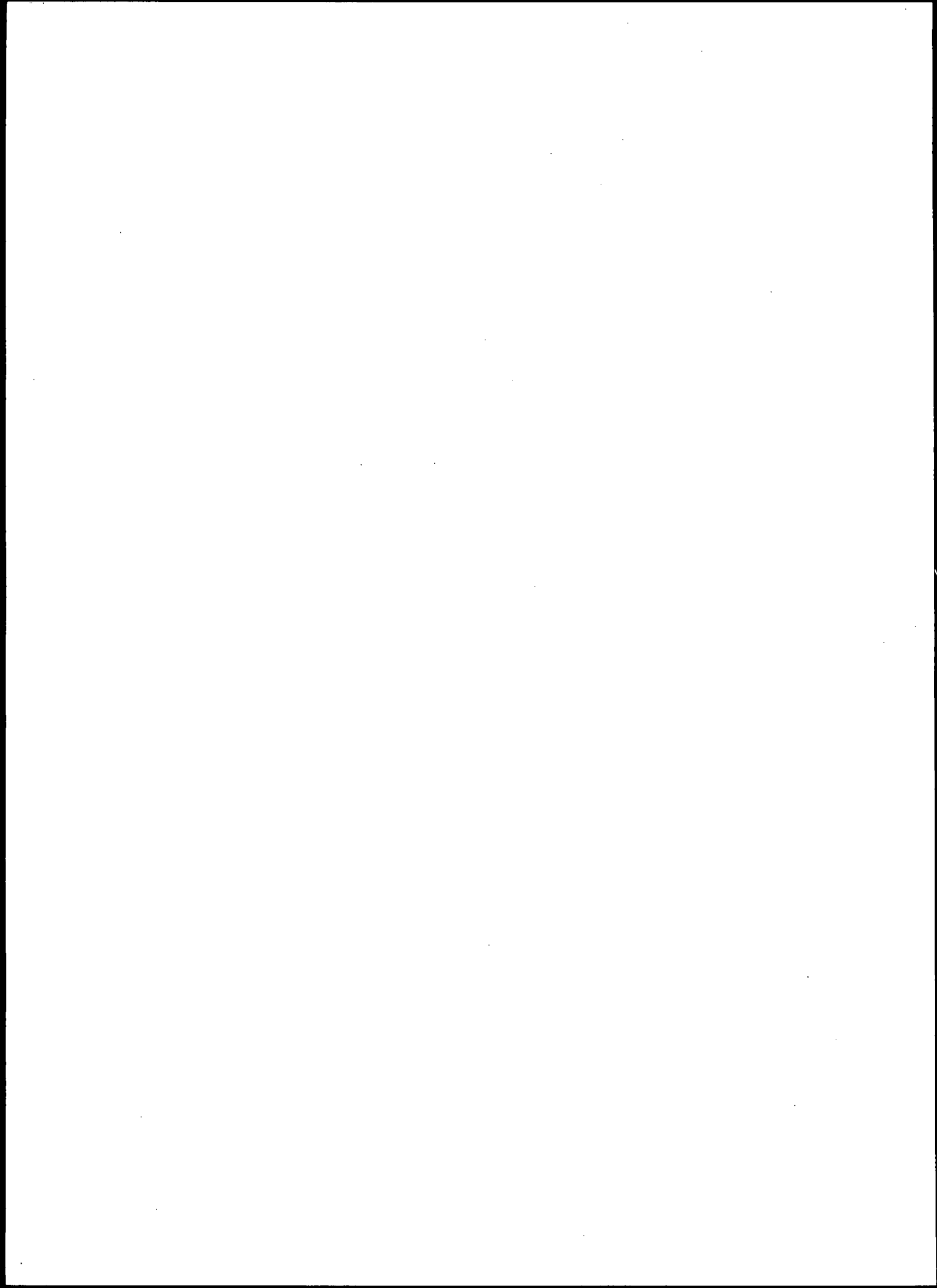
General Revenues*

Program	Actual FY 1990	Actual FY 1991	Actual FY 1992
Court of Appeals	\$ 59,287	\$ 71,245	\$ 76,314
Court of Special Appeals	74,530	75,443	88,109
Circuit Courts	-	85,973,458	94,235,352
District Court	58,890,239	61,341,883	63,936,759
State Board of Law Examiners	407,898	418,719	498,213
TOTAL	\$59,431,954	\$147,880,748	\$158,834,747

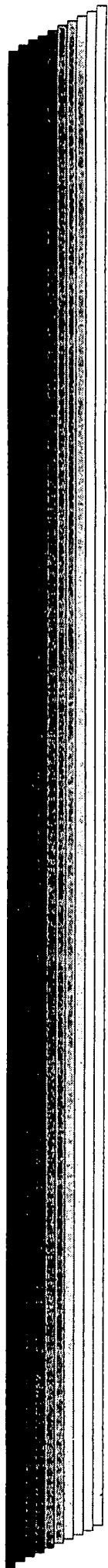
*Please refer to the narrative for an explanation of the revenues. In addition, \$2,676,583 was remitted to the Land Records Improvement Fund and \$34,796 was remitted to the State's Victims of Crime Fund.

Expenditures

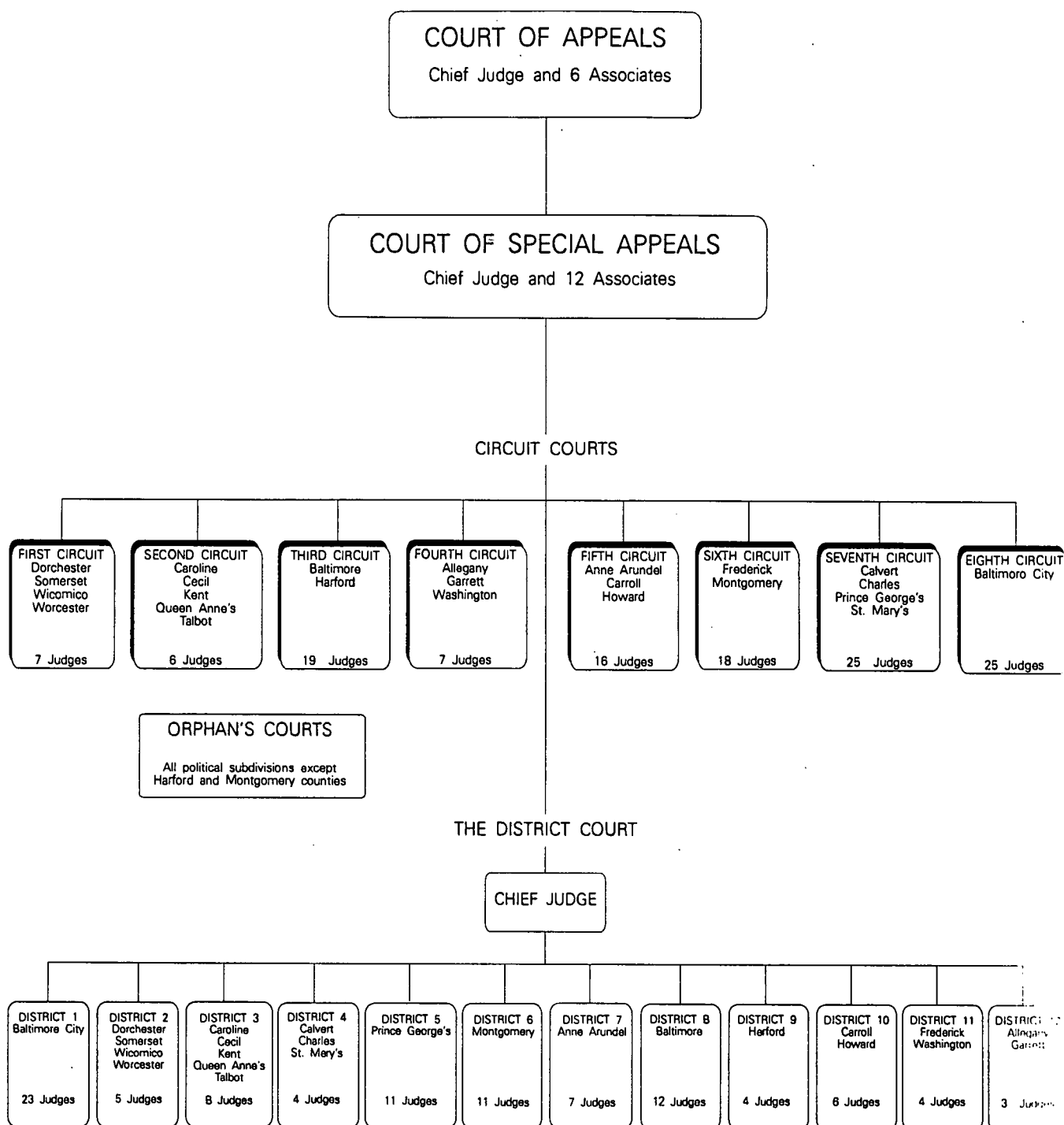
Program	Actual FY 1990	Actual FY 1991	Actual FY 1992
Court of Appeals	\$ 2,255,447	\$ 2,196,777	\$ 2,418,130
Court of Special Appeals	4,074,382	4,242,621	4,326,372
Circuit Courts (Includes Circuit Court Clerks' Offices)	17,597,653	57,597,875	57,145,019
District Court	54,257,834	61,249,112	59,735,678
Maryland Judicial Conference	72,161	5,125	7,658
Administrative Office of the Courts	1,859,474	1,593,622	3,541,470
Court-Related Agencies	728,961	713,594	797,318
Maryland State Law Library	617,659	649,614	680,517
Judicial Data Processing	6,946,605	7,772,876	8,086,478
TOTAL	\$88,410,176	\$136,021,216	\$136,738,640



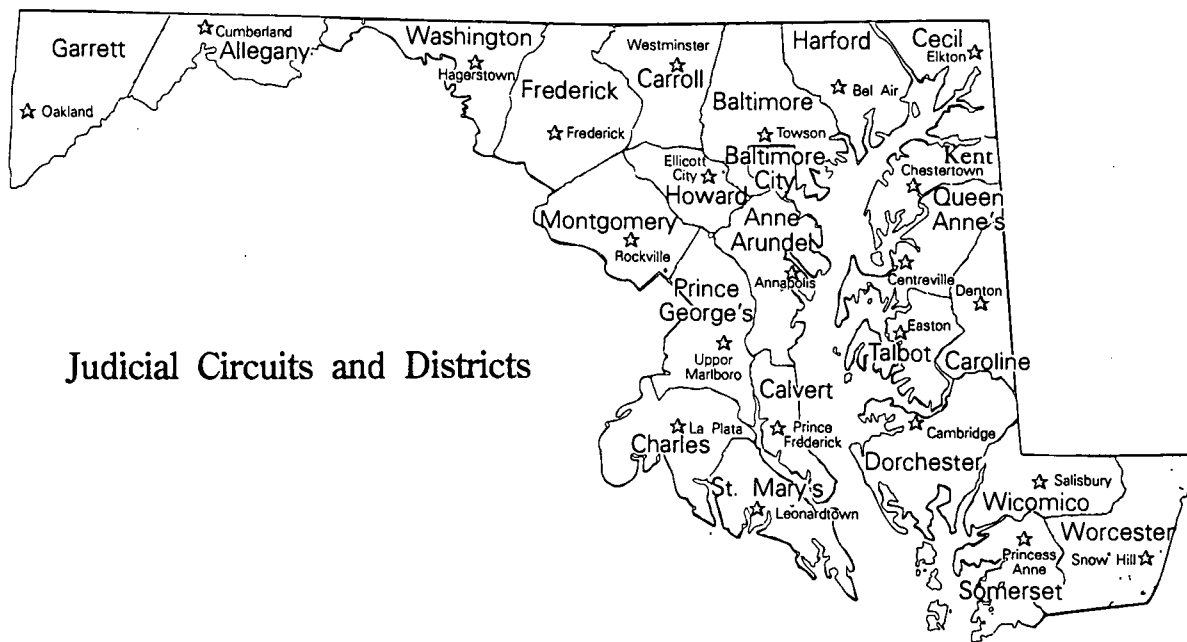
THE
MARYLAND
JUDICIAL
SYSTEM



THE MARYLAND JUDICIAL SYSTEM FISCAL 1992



STATE OF MARYLAND



JURISDICTIONS INCLUDED IN APPELLATE CIRCUITS

First Appellate Circuit—Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester

Second Appellate Circuit—Baltimore and Harford

Third Appellate Circuit—Allegany, Frederick, Garrett, Montgomery, and Washington

Fourth Appellate Circuit—Calvert, Charles, Prince George's, and Saint Mary's

Fifth Appellate Circuit—Anne Arundel, Carroll, and Howard

Sixth Appellate Circuit—Baltimore City

JURISDICTIONS INCLUDED IN JUDICIAL CIRCUITS

First Judicial Circuit—Dorchester, Somerset, Wicomico, and Worcester

Second Judicial Circuit—Caroline, Cecil, Kent, Queen Anne's, and Talbot

Third Judicial Circuit—Baltimore and Harford

Fourth Judicial Circuit—Allegany, Garrett, and Washington

Fifth Judicial Circuit—Anne Arundel, Carroll, and Howard

Sixth Judicial Circuit—Frederick and Montgomery

Seventh Judicial Circuit—Calvert, Charles, Prince George's, and Saint Mary's

Eighth Judicial Circuit—Baltimore City

JURISDICTIONS INCLUDED IN DISTRICT COURT DISTRICTS

First District—Baltimore City

Second District—Dorchester, Somerset, Wicomico, and Worcester

Third District—Caroline, Cecil, Kent, Queen Anne's, and Talbot

Fourth District—Calvert, Charles, and Saint Mary's

Fifth District—Prince George's

Sixth District—Montgomery

Seventh District—Anne Arundel

Eighth District—Baltimore

Ninth District—Harford

Tenth District—Carroll and Howard

Eleventh District—Frederick and Washington

Twelfth District—Allegany and Garrett

Members of the Maryland Judiciary as of September 1, 1992

THE APPELLATE COURTS

The Court of Appeals

Hon. Robert C. Murphy, CJ (2)
Hon. John C. Eldridge (5)
Hon. Lawrence F. Rodowsky (6)

Hon. John F. McAuliffe (3)
Hon. Howard S. Chasanow (4)

Hon. Robert L. Karwacki (1)
Hon. Robert M. Bell (6)

The Court of Special Appeals

Hon. Alan M. Wilner, CJ (At large)
Hon. Charles E. Moylan, Jr. (At large)
Hon. John J. Bishop, Jr. (At large)
Hon. John J. Garrity (4)
Hon. Paul E. Alpert (2)

Hon. Theodore G. Bloom (5)
Hon. Rosalyn B. Bell (At large)
Hon. William W. Wenner (3)
Hon. Robert F. Fischer (At large)

Hon. Dale R. Cathell (1)
Hon. Arrie W. Davis (6)
Hon. Diana G. Motz (6)
Hon. Glenn T. Harrell, Jr. (At large)

THE CIRCUIT COURTS

First Judicial Circuit

*Hon. Alfred T. Truitt, Jr., CJ
Hon. Theodore R. Eschenburg
Hon. Donald F. Johnson
Hon. D. William Simpson
Hon. Richard D. Warren
Hon. Thomas C. Groton, III
Hon. Daniel M. Long

Second Judicial Circuit

Hon. Donaldson C. Cole, Jr., CJ
*Hon. J. Owen Wise
Hon. Edward D.E. Rollins, Jr.
Hon. John W. Sause, Jr.
Hon. William S. Horne
Hon. J. Frederick Price

Third Judicial Circuit

*Hon. Edward A. DeWaters, Jr., CJ
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. Cypert O. Whitfill
Hon. Leonard S. Jacobson
Hon. William O. Carr
Hon. Joseph F. Murphy, Jr.
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II
Hon. Maurice W. Baldwin, Jr.
Hon. Stephen M. Waldron
Hon. Barbara Kerr Howe
Hon. Alfred L. Brennan, Sr.
Hon. Christian M. Kahl
Hon. Thomas J. Bollinger, Sr.
Hon. J. Norris Byrnes
Hon. Robert E. Cahill
Hon. John O. Hennegan

Fourth Judicial Circuit

Hon. Frederick A. Thayer, III, CJ
Hon. John P. Corderman
*Hon. Frederick C. Wright, III
Hon. J. Frederick Sharer
Hon. Daniel W. Moylan
Hon. Gary G. Leasure
Vacancy

Fifth Judicial Circuit

Hon. Bruce C. Williams, CJ
*Hon. Raymond G. Thieme, Jr.
Hon. H. Chester Goudy, Jr.
Hon. Luke K. Burns, Jr.
Hon. Eugene M. Lerner
Hon. Martin A. Wolff
Hon. James C. Cawood, Jr.
Hon. Raymond J. Kane, Jr.
Hon. Robert H. Heller, Jr.
Hon. Cornelius F. Sybert, Jr.
Hon. Warren B. Duckett, Jr.
Hon. James B. Dudley
Hon. Raymond E. Beck, Sr.
Hon. Lawrence H. Rushworth
Hon. Francis M. Arnold
Hon. Dennis M. Sweeney

Sixth Judicial Circuit

*Hon. John J. Mitchell, CJ
Hon. William M. Cave
Hon. James S. McAuliffe, Jr.
Hon. Irma S. Raker
Hon. William C. Miller
Hon. L. Leonard Ruben
Hon. DeLawrence Beard
Hon. G. Edward Dwyer, Jr.
Hon. Peter J. Messitte

Hon. J. James McKenna
Hon. Mary Ann Stepler
Hon. Paul H. Weinstein
Hon. Vincent E. Ferretti, Jr.
Hon. Paul A. McGuckian
Hon. James L. Ryan
Hon. Herbert L. Rollins
Vacancy
Vacancy

Seventh Judicial Circuit

*Hon. Ernest A. Loveless, Jr., CJ
Hon. William H. McCullough
Hon. George W. Bowling
Hon. Robert J. Woods
Hon. Vincent J. Femia
Hon. Robert H. Mason
Hon. Audrey E. Melbourne
Hon. David Gray Ross
Hon. James M. Rea
Hon. Richard J. Clark
Hon. Arthur M. Ahalt
Hon. G. R. Hovey Johnson
Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. John H. Briscoe
Hon. Graydon S. McKee, III
Hon. Thomas A. Rymer
Hon. William D. Missouri
Hon. Robert C. Nalley
Hon. James P. Salmon
Hon. Marvin S. Kaminetz
Hon. Steven I. Platt
Hon. Larnzell Martin, Jr.
Hon. Richard H. Sothoron, Jr.
Vacancy

*Circuit Administrative Judge

THE CIRCUIT COURTS (Continued)**Eighth Judicial Circuit**

Hon. Robert I. H. Hammerman, CJ
 Hon. David Ross
 *Hon. Joseph H. H. Kaplan
 Hon. Elsbeth Levy Bothe
 Hon. John Carroll Byrnes
 Hon. Kenneth Lavon Johnson
 Hon. Thomas Ward
 Hon. Edward J. Angeletti

Hon. Thomas E. Noel
 Hon. David B. Mitchell
 Hon. Hilary D. Caplan
 Hon. Kathleen O'Ferrall Friedman
 Hon. Marvin B. Steinberg
 Hon. Clifton J. Gordy, Jr.
 Hon. Mabel H. Hubbard
 Hon. John N. Prevas
 Hon. Ellen M. Heller

Hon. Roger W. Brown
 Hon. John C. Themelis
 Hon. Richard T. Rombro
 Hon. Ellen L. Hollander
 Hon. Paul A. Smith
 Hon. Andre M. Davis
 Hon. Joseph P. McCurdy, Jr.
 Hon. Martin P. Welch, Sr.
 *Circuit Administrative Judge

THE DISTRICT COURT OF MARYLAND**District Court**

Hon. Robert F. Sweeney, CJ

District 1

Hon. Robert J. Gerstung
 Hon. Martin A. Kircher
 Hon. Alan M. Resnick
 Hon. Richard O. Motsay
 Hon. Alan B. Lipson
 Hon. George J. Helinski
 *Hon. Mary Ellen T. Rinehardt
 Hon. Charlotte M. Cooksey
 Hon. H. Gary Bass
 Hon. Keith E. Mathews
 Hon. Askew W. Gatewood, Jr.
 Hon. Alan J. Karlin
 Hon. Carol E. Smith
 Hon. David W. Young
 Hon. Theodore B. Oshrine
 Hon. Kathleen M. Sweeney
 Hon. Teaette S. Price
 Hon. Barbara B. Waxman
 Hon. Jamey H. Weitzman
 Hon. C. Yvonne Holt-Stone
 Hon. Gale R. Caplan
 Vacancy
 Vacancy

District 2

Hon. Robert D. Horsey
 *Hon. John L. Norton, III
 Hon. Robert S. Davis
 Hon. Richard R. Bloxom
 Hon. Lloyd O. Whitehead

District 3

Hon. L. Edgar Brown
 Hon. John T. Clark, III
 Hon. H. Thomas Sisk, Jr.
 Hon. William H. Adkins, III

*Hon. James C. McKinney
 Hon. Harry J. Goodrick

District 4

Hon. C. Clarke Raley
 *Hon. Larry R. Holtz
 Hon. Gary S. Gasparovic
 Hon. Stephen L. Clagett

District 5

Hon. Sylvania W. Woods
 Hon. Francis A. Borelli
 Hon. Theresa A. Nolan
 Hon. C. Philip Nichols, Jr.
 Hon. Gerard F. Devlin
 Hon. John F. Kelly, Sr.
 Hon. Thurman H. Rhodes

*Hon. Frank M. Kratovil
 Hon. Sherrie L. Krauser
 Hon. Patrice E. Lewis
 Hon. E. Allen Shepherd

District 6

Hon. Douglas H. Moore, Jr.
 *Hon. Cornelius J. Vaughey
 Hon. Henry J. Monahan
 Hon. Louis D. Harrington
 Hon. Edwin Collier
 Hon. Ann S. Harrington
 Hon. S. Michael Pincus
 Hon. Patrick L. Woodward
 Hon. Dennis M. McHugh
 Hon. Lee M. Sislen
 Vacancy

District 7

Hon. Donald M. Lowman
 *Hon. Clayton Greene, Jr.
 Hon. Joseph P. Manck
 Hon. Martha F. Rasin
 Hon. Michael E. Loney

Hon. Vincent A. Mulieri
 Hon. James W. Dryden

District 8

Hon. Gerard W. Wittstadt
 *Hon. John H. Garmer
 Hon. Patricia S. Pytash
 Hon. A. Gordon Boone, Jr.
 Hon. Charles E. Foos, III
 Hon. Lawrence R. Daniels
 Hon. I. Marshall Seidler
 Hon. John C. Coolahan
 Hon. Michael L. McCampbell
 Hon. Barbara R. Jung
 Hon. G. Darrell Russell
 Vacancy

District 9

*Hon. John S. Landbeck, Jr.
 Hon. Lawrence S. Lanahan, Jr.
 Hon. John L. Dunnigan
 Vacancy

District 10

Hon. Donald M. Smith
 Hon. R. Russell Sadler
 *Hon. James N. Vaughan
 Hon. Lenore R. Gelfman
 Hon. Louis A. Becker, III
 Hon. JoAnn M. Ellinghaus-Jones

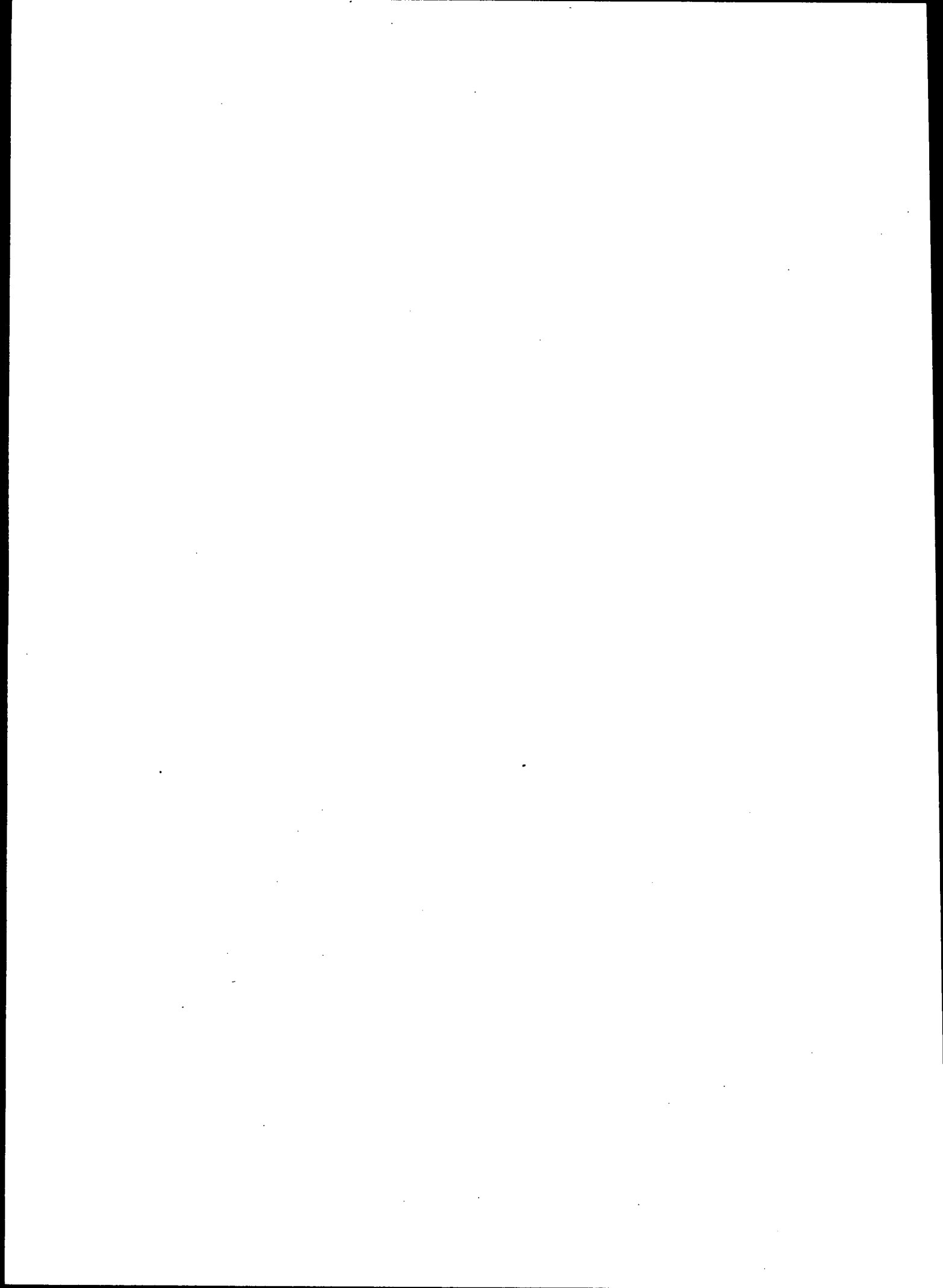
District 11

Hon. Darrow Glaser
 Hon. James F. Strine
 *Hon. Frederick J. Bower
 Hon. William Milnor Roberts

District 12

*Hon. Paul J. Stakem
 Hon. Jack R. Turney
 Hon. W. Timothy Finan
 *District Administrative Judge

THE COURT OF APPEALS



The Court of Appeals

Introduction

The Court of Appeals, the highest tribunal in the State of Maryland, was created by the Constitution of 1776. The Court sat in various locations throughout the State in the early years of its existence, but it has resided in Annapolis since 1851. The Court is composed of seven judges, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). Members of the Court are initially appointed by the Governor and confirmed by the Senate. Subsequently, they run for office on their records, unopposed. If a judge's retention in office is rejected by the voters or there is a tie vote, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

Since 1975, the Court of Appeals has heard cases almost exclusively by way of certiorari, a discretionary review process. As a result, the Court's formerly excessive workload was reduced to a more manageable level, thus allowing the Court to devote more time to the most important and far-reaching issues.

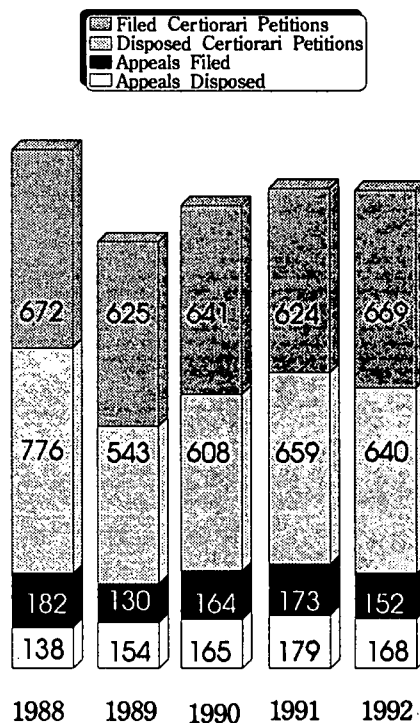
The Court may review cases already decided by the Court of Special Appeals or bring up for review cases filed in that Court before they are decided. Addition-

ally, the Court of Appeals has exclusive jurisdiction over appeals of a death sentence. Cases from the circuit court level also may be reviewed by the Court of Appeals if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which have the force of law. It also admits persons to the practice of law, reviews recommendations from the State Board of Law Examiners, and conducts disciplinary proceedings involv-

ing members of the bench and bar. Questions of law certified by federal and other State appellate courts also may be decided by the Court of Appeals.

Table CA-1 provides a graphic comparison of regular docket and certiorari petition filings and terminations over the last five fiscal years. Fluctuations in filings and terminations have occurred during the aforementioned time period without a discernible trend. During Fiscal Year 1992, the only category in which an increase was reported was a 7.2 percent increase in cer-

TABLE CA-1
COURT OF APPEALS
APPEALS ACTUALLY FILED AND
TERMINATED WITHIN FISCAL YEAR



tiorari petitions over the Fiscal Year 1991 level. The 669 certiorari petitions filed represented the second highest number recorded during the last five years. In contrast, 152 regular docket filings were reported. Both the regular docket and certiorari petition dispositions decreased from the Fiscal Year 1991 levels by 6.1 percent and 2.9 percent, respectively.

Filings

Matters filed on the September 1991 Docket formed the incoming workload for Fiscal Year 1992 in the Court of Appeals. Filings received from March 1 through February 29 were entered on the September Term Docket for argument during the period from the second Monday in September to the beginning of

the next term. In this report, filings in the appellate courts are counted by term, March 1 through February 29, while dispositions are counted by fiscal year, July 1 through June 30.

During the September 1991 Term, the Court docketed a total of 880 filings. That figure represents a 2.8 percent decrease from the previous term and follows a two percent increase recorded during the 1990 term. The 880 filings included 158 regular docket filings, 658 petitions for certiorari, 26 attorney grievance proceedings, and 38 miscellaneous appeals, of which two were bar admissions proceedings and three involved certified questions of law.

A party may file a petition for certiorari to review any case or proceeding pending in, or decided by, the Court of Special Appeals upon appeal from a circuit court or an orphan's court. The Court grants those petitions it feels are "desirable and in the public interest." Under certain circumstances, certiorari also may be granted to cases that have been appealed to a circuit court from the District Court, after the initial appeal has been heard in the circuit court.

The Court considered 640 petitions for certiorari during Fiscal Year 1992. Included in that figure were 304 (47.5 percent) civil cases and 336 (52.5 percent) cases that were of a criminal nature. Of the 640 petitions, the Court granted 105 or 16.4 percent and denied 523 or 81.7 percent (Table CA-6).

The regular docket in the Court of Appeals is comprised of cases that have been granted certiorari, as well as cases that were pending in the Court of Special Appeals that the Court decided to hear on its own motion. The

TABLE CA-2
ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF APPEALS

1991 TERM

FIRST APPELLATE CIRCUIT	14	8.9%
Caroline County	3	
Cecil County	2	
Dorchester County	1	
Kent County	1	
Queen Anne's County	0	
Somerset County	0	
Talbot County	1	
Wicomico County	4	
Worcester County	2	
SECOND APPELLATE CIRCUIT	28	17.7%
Baltimore County	21	
Harford County	7	
THIRD APPELLATE CIRCUIT	29	18.3%
Allegany County	2	
Frederick County	2	
Garrett County	0	
Montgomery County	23	
Washington County	2	
FOURTH APPELLATE CIRCUIT	25	15.8%
Calvert County	2	
Charles County	1	
Prince George's County	22	
St. Mary's County	0	
FIFTH APPELLATE CIRCUIT	24	15.2%
Anne Arundel County	17	
Carroll County	4	
Howard County	3	
SIXTH APPELLATE CIRCUIT	38	24.1%
Baltimore City	38	
TOTAL	158	100.0%

Court of Appeals conducts a monthly review of appellants' briefs from cases pending in the Court of Special Appeals in an effort to identify cases suitable for consideration by the higher court.

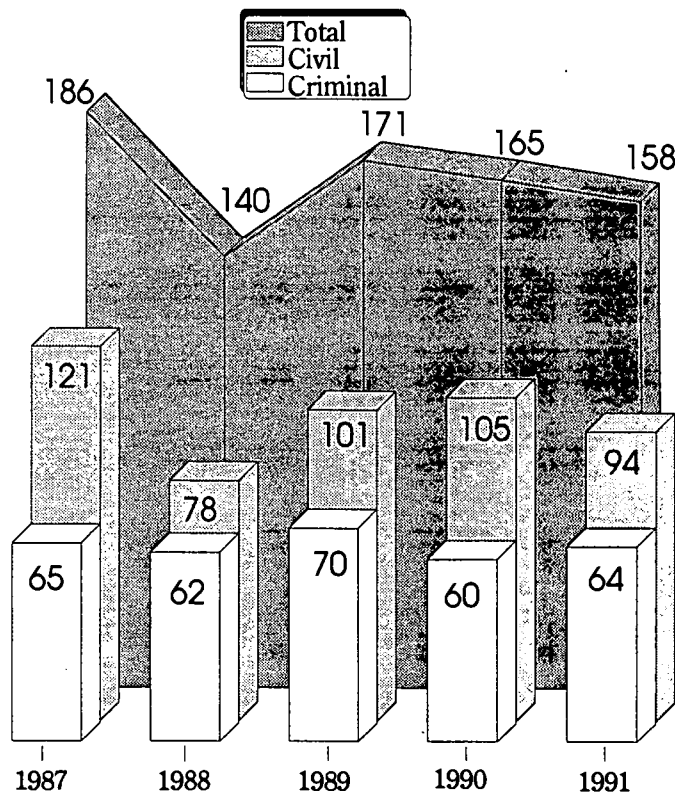
For the second consecutive year, there was a decrease in the number of regular docket appeals docketed by the Court of Appeals. There were 158 cases docketed during the 1991 Term, a decrease of 4.2 percent from the previous term. Of the 158 filings, 94 (59.5 percent) were of a civil nature which included law, equity, and juvenile cases, and 64 (40.5 percent) cases were criminal in nature (Table CA-3). The greatest number of cases, 38 or 24.1 percent, were contributed by Baltimore City, followed by Montgomery County with 23 or 14.6 percent. Prince George's County contributed 22 cases, while Baltimore and Anne Arundel Counties contributed 21 cases and 17 cases, respectively. The remaining 19 counties contributed a combined total of 37 cases or 23.4 percent of the total number of cases docketed (Table CA-2).

Dispositions

The Court of Appeals disposed of 880 cases during Fiscal Year 1992, a decrease of 2.4 percent from the Fiscal Year 1991 level of 902 dispositions. Included in the dispositions were 168 regular docket cases; 640 petitions for certiorari; 34 attorney grievance proceedings; and 38 miscellaneous cases, which included one bar admission proceeding and seven certified questions of law which were answered (Table CA-4). The Court also admitted 1,467 persons to the practice of law, including 182 attorneys from other jurisdictions.

During Fiscal Year 1992, the

TABLE CA-3
APPEALS DOCKETED BY TERM
COURT OF APPEALS REGULAR DOCKET



Court of Appeals disposed of 168 regular docket cases. That figure included nine cases from the 1989 Docket; 59 cases from the 1990 Docket; 93 cases from the 1991 Docket; and seven cases from the 1992 Docket. The disposed cases were comprised of 99 (58.9 percent) civil cases, four (2.4 percent) juvenile cases and 65 (38.7 percent) criminal cases. With respect to the disposition of cases, the Court affirmed the decisions of the lower court in 42 instances, while reversing the decisions in 58 cases. There also were 13 decisions affirmed in part and reversed in part. Twenty-five cases were vacated and remanded, three cases were remanded without affirmance or reversal, eight cases were affirmed in part and vacated in

part, one case was vacated, and one case was modified and affirmed. Of the cases that were dismissed, two were dismissed with an opinion filed, ten were dismissed without an opinion, and four were dismissed prior to argument or submission. The remaining case involved a certified question of law that was answered (Table CA-7).

The Court of Appeals expended an average of 3.8 months from the time certiorari was granted to the argument of the case or disposition without an argument. The amount of time from the argument to the actual rendering of a decision averaged 5.2 months during Fiscal Year 1992. The entire appellate process, from the granting of certiorari to the final decision, averaged 8.6

months (Table CA-8). The Court handed down 143 majority opinions, including ten that were per curiam. Additionally, there were 27 dissenting opinions, eight concurring opinions, and six opinions dissenting in part and concurring in part.

Pending

There were 112 cases pending before the Court at the close of Fiscal Year 1992. Included in the 112 cases were three cases from the 1989 Docket; 13 cases from the 1990 Docket; 60 cases from the 1991 Docket; and 36 cases from the 1992 Docket. Generally, the cases pending from the 1992 Docket were added at the close of the fiscal year and were scheduled for argument in September. Approximately 67 percent (75) of the pending caseload was civil in nature, 32.1 percent (36) was criminal in nature, and the remaining case, 0.9 percent, involved a juvenile matter (Table CA-5).

Trends

For the second consecutive year, the number of regular docket appeals decreased from 165 during the 1990 Term to the present level of 158 appeals (4.2 percent). Overall filings, while decreasing for the first time since the 1988 Term, continued to surpass the 850 mark with 880 total filings reported for the 1991 Term. Certiorari petitions increased by nearly two percent over the 1990 Term, marking the first time in over eleven years that an increase in the aforementioned category did not result in an increase in overall filings.

TABLE CA-4
FILINGS AND DISPOSITIONS
COURT OF APPEALS

JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Filings	Dispositions
Regular Docket	152	168
Petitions for Certiorari	669	640
Attorney Grievance Proceedings	39	34
Bar Admission Proceedings	1	1
Certified Questions of Law	2	7
Miscellaneous Appeals	39	30
Total	902	880

Certiorari petition dispositions continued to fluctuate, decreasing by 2.9 percent, from 659 in Fiscal Year 1991 to 640 in Fiscal Year 1992. The percentage of certiorari petitions granted during the year represented the lowest number granted over the last five years at 16.4 percent. The number of civil petitions granted continued to exceed the number of criminal petitions, with 18.4 percent of the civil petitions being granted compared to 14.6 percent of the criminal petitions. Along with the decrease in certiorari petition dispositions, regular docket dispositions also decreased during the year after increasing for three consecutive years.

The Court of Appeals has managed to dispose of its caseload expeditiously while continuing to decrease the number of pending cases. An average of 8.6 months lapsed from the time certiorari was granted to the rendering of the final decision during Fiscal Year 1992. That compares to an average elapsed time of 10.2 months in Fiscal Year 1991,

10.5 months in Fiscal Year 1990, and 11.9 months in Fiscal Year 1989. While expending a decreasing amount of time disposing of its caseload, the Court has also realized a steady decrease in the number of pending cases, from 129 at the close of Fiscal Year 1991 to the present level of 112 cases. The number of pending cases has decreased by 32.9 percent over the last five fiscal years.

In the coming years, the Court will continue to be faced with the task of resolving complex issues that question the legality of the laws of this State. Challenges to the decisions rendered by the lower courts will rest upon the shoulders of the seven judges of the Court of Appeals to analyze and decide. As the already strained resources of the Judiciary continue to be stretched to their limits, the Court will be compelled to continue its quest to discover innovative and creative means by which the citizenship of this State can be assured of continued expeditious and impartial decisions.

TABLE CA-5
CASES PENDING
COURT OF APPEALS

Regular Docket

June 30, 1992

	Civil	Juvenile	Criminal	Total
Origin				
1989 Docket	2	0	1	3
1990 Docket	11	0	2	13
1991 Docket	40	0	20	60
1992 Docket	22	1	13	36
Total	75	1	36	112

TABLE CA-6
FIVE-YEAR COMPARATIVE TABLE
PETITION DOCKET DISPOSITIONS
(PETITIONS FOR CERTIORARI)

FISCAL 1988-FISCAL 1992

Petitions	Granted	Dismissed	Denied	Withdrawn	Total	Percentage of Certiorari Petitions Granted
Civil						
1987-88	84	5	311	1	401	20.9%
1988-89	37	1	221	1	260	14.2%
1989-90	66	4	228	0	298	22.1%
1990-91	75	9	241	0	325	23.1%
1991-92	56	8	237	2	304*	18.4%
Criminal						
1987-88	56	1	317	1	375	14.9%
1988-89	54	2	227	0	283	19.1%
1989-90	47	3	260	0	310	15.2%
1990-91	56	3	275	0	334	16.8%
1991-92	49	1	286	0	336	14.6%

* This total includes one civil case which was transferred.

TABLE CA-7
DISPOSITION OF COURT OF APPEALS CASES
Regular Docket
JULY 1, 1991—JUNE 30, 1992
FISCAL 1992

	Civil	Juvenile	Criminal	Total
Affirmed	25	1	16	42
Reversed	36	2	20	58
Dismissed—Opinion Filed	2	0	0	2
Dismissed Without Opinion	6	0	4	10
Remanded Without Affirmance or Reversal	1	0	2	3
Vacated and Remanded	14	1	10	25
Modified and Affirmed	1	0	0	1
Affirmed in Part, Reversed in Part	6	0	7	13
Affirmed in Part, Vacated in Part	2	0	6	8
Dismissed Prior to Argument or Submission	4	0	0	4
Certified Question Answered	1	0	0	1
Transferred to Court of Special Appeals	0	0	0	0
Vacated	1	0	0	1
Origin				
1989 Docket	7	0	2	9
1990 Docket	42	0	17	59
1991 Docket	48	3	42	93
1992 Docket	2	1	4	7
Total Cases Disposed During Fiscal 1992	99	4	65	168

TABLE CA-8
AVERAGE TIME INTERVALS FOR CASES
DISPOSED BY COURT OF APPEALS

Regular Docket

JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Certiorari Granted to Argument or to Disposition Without Argument*	Argument to Decision**	Certiorari Granted to Decision*
Days	115	156	258
Months	3.8	5.2	8.6
Number of Cases	168	153	168

* Includes all cases disposed in Fiscal 1992.

** Includes all cases disposed in Fiscal 1992 which were argued.

TABLE CA-9
FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF APPEALS

(In Days and Months)

Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1987	356 11.9	135 4.5
1988	327 10.9	101 3.4
1989	322 10.7	126 4.2
1990	371 12.4	136 4.5
1991	362 12.1	142 4.7

THE
COURT
OF
SPECIAL
APPEALS

The Court of Special Appeals

Introduction

Maryland's intermediate appellate court, the Court of Special Appeals, was created in 1966 in response to a rapidly growing caseload in the Court of Appeals, which had caused a substantial backlog to develop in that Court.

The Court of Special Appeals resides in Annapolis and is composed of thirteen members, including a chief judge and twelve associates. One member of the Court is elected from each of the first five Appellate Judicial Circuits and two members are elected from the Sixth Appellate Judicial Circuit (Baltimore City). The remaining six members are elected from the State at large. Members of the Court of Special Appeals are appointed by the

Governor and confirmed by the Senate. The judges also run on their records without opposition for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

The Court has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order, or other action of a circuit court and generally hears cases appealed directly from the circuit courts unless otherwise provided by law. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or ex-

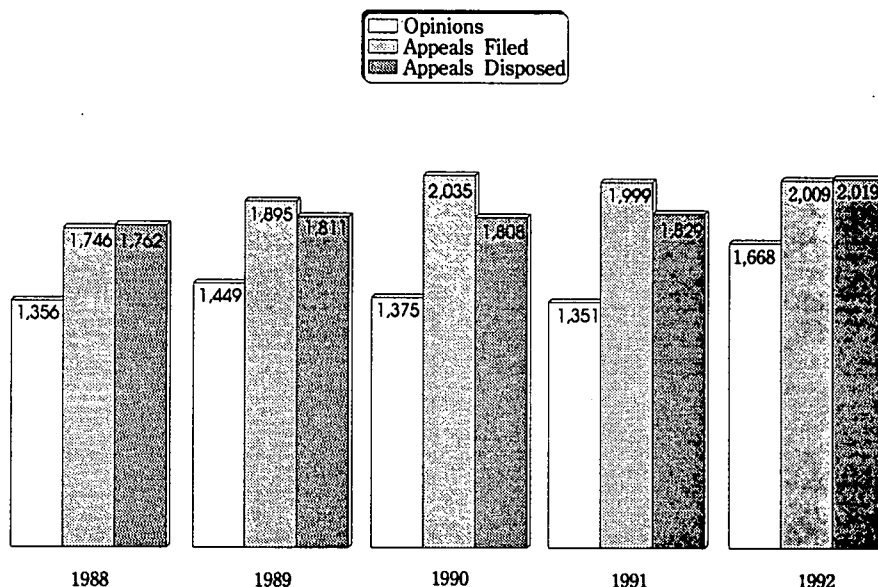
cessive bail, inmate grievances, appeals from criminal guilty pleas and, as of July 1, 1991, violations of probation.

Filings

A majority of the Fiscal Year 1992 workload was comprised of matters filed on the September 1991 Docket. Filings received from March 1 through February 29 were entered on the September Term docket for argument beginning the second Monday in September and ending the last of June. In this report, filings are counted by term, March 1 through February 29, while dispositions are counted by fiscal year, July 1 through June 30.

The Court of Special Appeals received 1,956 filings on its regu-

TABLE CSA-1
COURT OF SPECIAL APPEALS - APPEALS ACTUALLY
FILED AND TERMINATED WITHIN FISCAL YEAR



lar docket during the September 1991 Term. That figure compares to 2,035 filings during the 1990 Term and 2,006 filings during the 1989 Term, representing the first decrease in filings in over six years. The 1,956 regular docket filings include 933 civil case filings and 1,023 criminal filings. A greater percentage of the filings docketed on the regular docket has been of a criminal nature

since the 1988 Term (Table CSA-3). However, during the 1991 Term, decreases were recorded in both civil and criminal filings. Civil filings decreased for the second consecutive year by 1.8 percent, while criminal filings decreased for the first time since the 1984 Term by 5.7 percent.

The Court of Special Appeals uses two procedures to better manage its civil and criminal

workloads. Maryland Rule 8-204 and Sec. 12-302 of the Courts Article, which removes the right of direct appeal in criminal cases when a guilty plea has been entered, were adopted to more effectively manage the criminal workload. As a result of this rule, it now is necessary to file an application for leave to appeal in instances where a guilty plea has been entered in criminal cases. It then is the Court's discretion to either place the case on the regular docket or deny the appeal (Table CSA-6). The initial increase in criminal filings was realized just two years after the adoption of the rule. During the September 1982 Term, the year before the review of guilty pleas was changed, there were 1,107 criminal filings. There were 1,023 criminal filings docketed during the September 1991 Term.

In the civil area, pre-hearing conferences have been used by the Court. With this procedure, panels of judges attempt to identify those cases suitable for resolution by the parties. Pursuant to Maryland Rule 8-206, the number of civil filings reported since the 1980 Term does not include civil notices of appeal filed in the clerks' offices. As stipulated in Maryland Rule 8-206.a.1, those appeals either are scheduled for pre-hearing conference or proceed through the regular appellate process. If the cases are disposed of by pre-hearing conferences, they are not placed on the regular docket or listed as filings. Cases that are not resolved by the pre-hearing conferences are placed on subsequent dockets and are counted as filings. An information report or summarization of the case below and the action taken by the circuit court is filed in each case when an appeal has been noted. The Court of Special

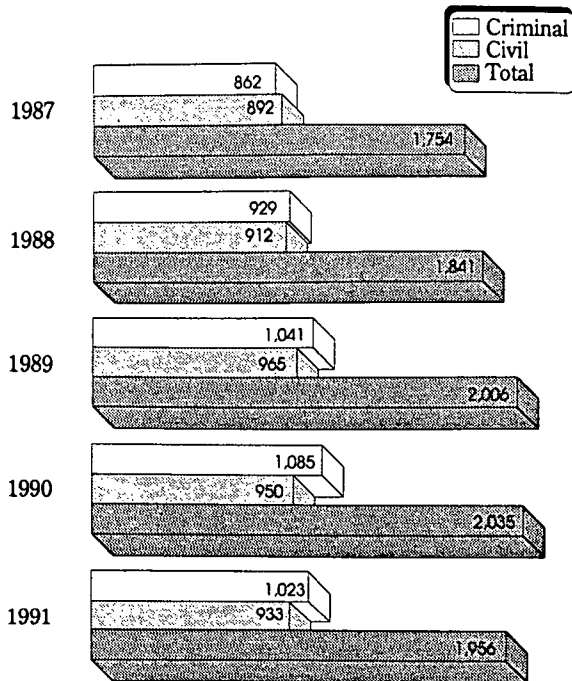
TABLE CSA-2

**ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF APPEALS**

1991 TERM

FIRST APPELLATE CIRCUIT	243	12.4%
Caroline County	34	
Cecil County	37	
Dorchester County	29	
Kent County	15	
Queen Anne's County	19	
Somerset County	24	
Talbot County	23	
Wicomico County	45	
Worcester County	17	
SECOND APPELLATE CIRCUIT	273	14.0%
Baltimore County	214	
Harford County	59	
THIRD APPELLATE CIRCUIT	361	18.5%
Allegany County	10	
Frederick County	37	
Garrett County	10	
Montgomery County	265	
Washington County	39	
FOURTH APPELLATE CIRCUIT	366	18.7%
Calvert County	23	
Charles County	45	
Prince George's County	279	
St. Mary's County	19	
FIFTH APPELLATE CIRCUIT	226	11.5%
Anne Arundel County	160	
Carroll County	25	
Howard County	41	
SIXTH APPELLATE CIRCUIT	487	24.9%
Baltimore City	487	
TOTAL	1,956	100.0%

TABLE CSA-3
APPEALS DOCKETED BY TERM
COURT OF SPECIAL APPEALS
REGULAR DOCKET

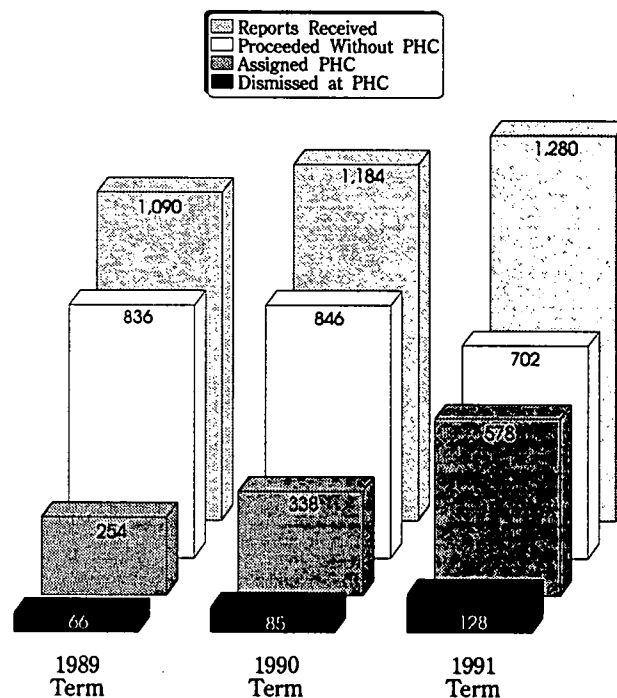


Appeals received 1,280 information reports during the 1991 Term, an increase of 8.1 percent over the previous year. Approximately 45.2 percent (578) of the reports were assigned for pre-hearing conferences. That compares with 338 reports or 28.5 percent during the 1990 Term (Table CSA-4). As a result of the conferences, 361 cases (62.5 percent) proceeded without limitation of issues. There were 128 cases (22.1 percent) dismissed, settled before, at, or as a result of the pre-hearing conferences and 54 cases (9.3 percent) were dismissed or remanded after the pre-hearing conferences. Twelve cases (2.1 percent) were stayed pending bankruptcy, seven cases (1.2 percent) proceeded with expedited appeals, and one case (0.2 percent) was transferred to the Court of Appeals. The remaining 15 cases (2.6 percent) were pending at the close of the term (Table

CSA-5).

Baltimore City contributed the greatest number of cases during the 1991 Term. There were 487 cases (24.9 percent) filed by the aforementioned jurisdiction. Prince George's County contributed 279 cases (14.3 percent), while Montgomery County followed with 265 cases (13.5 percent) of the total cases docketed on the regular docket. Of the two remaining larger jurisdictions, Baltimore County contributed 214 cases (10.9 percent) and Anne Arundel County contributed 160 cases (8.2 percent) (Table CSA-2). Approximately fifteen percent of the circuit court trials conducted during Fiscal Year 1991 were docketed on the regular docket during the 1991 Term, compared to fourteen percent during the previous term (Table CSA-9).

TABLE CSA-4
PREHEARING CONFERENCE REPORTS
COURT OF SPECIAL APPEALS



Dispositions

There were 2,019 cases disposed on the regular docket during Fiscal Year 1992, compared to 1,829 cases during Fiscal Year 1991, an increase of 10.4 percent. The disposed cases included four from the 1989 Docket; 446 from the 1990 Docket; 1,510 from the 1991 Docket; and 59 from the 1992 Docket. More than 52 percent (1,056) of the case dispositions were of a criminal nature, while 45.5 percent (919) were civil. The remaining 2.2 percent (44) involved juvenile matters (Table CSA-7).

As indicated in Table CSA-7, the Court affirmed 1,161 (57.5 percent) of the lower courts' decisions, while reversing only 233 (11.5 percent). Criminal matters comprised the greatest percentage of affirmed decisions (63.5 percent), while the greatest percentage of reversed decisions (53.2 percent) involved civil matters. An additional 151 decisions (7.5 percent) were affirmed in part and reversed in part. There also were 316 cases dismissed prior to argument or submission and 51 cases (2.5 percent) were transferred to the Court of Appeals.

There were 193 cases disposed on the Court's miscellaneous docket. Included in that figure were 65 post conviction cases; 23 inmate grievances; 80 "other" miscellaneous cases, which included habeas corpus/bail cases, motions for stay of execution of an order pending appeal, and appeals from guilty pleas; and 25 violation of probation cases. Dispositions on the miscellaneous docket decreased by approximately 24 percent from the previous year. Of the 193 cases disposed on the miscellaneous docket, the Court granted 14

applications for leave to appeal, and denied 178 applications. There also was one case either dismissed or transferred (Table CSA-6).

The Court averaged approximately six months from the docketing of a case to its argument, or to disposition of the case without an argument. This was a slight increase over the 5.7 months averaged during the previous fiscal year. The average amount of time expended from argument to decision during Fiscal Year 1992 was consistent at 1.4 months with that of the previous fiscal year (Table CSA-10). From disposition in the circuit court to docketing in the Court of Special Appeals, an average of four months elapsed (Table CSA-11).

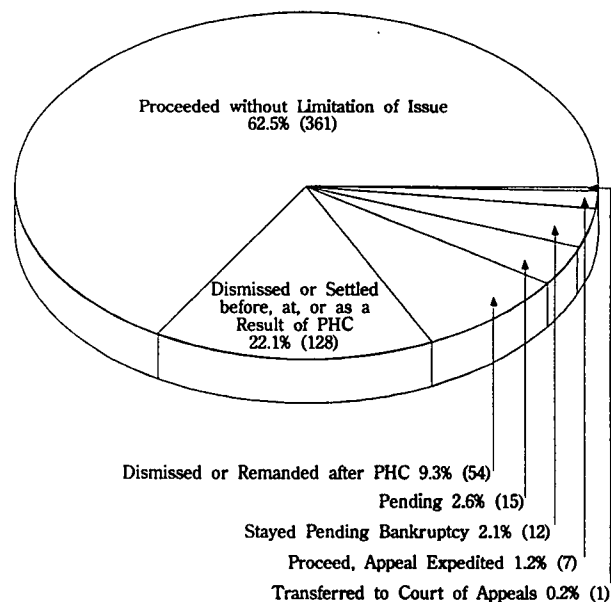
During Fiscal Year 1992, the Court handed down 1,668 majority opinions, including 1,427 unreported and 241 reported

opinions. Additionally, there were ten concurring opinions and 26 dissenting opinions filed during that year. These figures compare with the 1,351 majority opinions, two concurring opinions, and 13 dissenting opinions filed during Fiscal Year 1991.

Pending

The Court of Special Appeals had 1,043 cases pending at the close of Fiscal Year 1992, representing a decrease of 2.4 percent from the previous fiscal year. The pending cases included two from the 1988 Docket; seven from the 1990 Docket; 387 from the 1991 Docket; and 635 cases from the 1992 Docket. Cases pending from the 1992 Docket generally are comprised of matters scheduled for argument during the current term, while cases pending from prior terms are awaiting opin-

TABLE CSA-5
DISPOSITION OF INFORMATION REPORTS
ASSIGNED FOR PREHEARING CONFERENCE
1991 TERM





Courtroom - Allegany County Circuit Court

ions. There were 466 civil cases, 23 juvenile cases, and 554 criminal cases pending at the close of the fiscal year (Table CSA-8).

Trends

The Court of Special Appeals experienced its first decrease in overall filings since the 1984 Term when criminal filings decreased for the second consecutive year. This followed the removal of the right of direct appeal from a plea of guilty. Both criminal and civil appeals decreased during the 1991 Term by 5.7 percent and 1.8 percent, respectively. Overall, filings decreased by 3.9 percent, from 2,035 during the 1990 Term to the present level of 1,956 filings.

Although decreasing during the current term, criminal filings have increased by more than 18 percent over the last five years. Additionally, criminal filings continue to stay near the 1,107 fil-

ings reported during the 1982 Term, which was the year preceding the enactment of Chapter 295 of the Acts of 1983. In an attempt to relieve the Court of Special Appeals of its ever-increasing criminal workload, the aforementioned bill was passed to remove the right of direct appeal from a guilty plea. The initial effect of the passage of the bill was a relatively significant decrease in criminal filings; however, within two years, filings again began to increase. This increase continued until the 1991 Term. Individuals appealing from a guilty plea must file an application for leave to appeal. During Fiscal Year 1992, the number of applications for leave to appeal decreased from 254 in Fiscal Year 1991 to the current level of 193, a decrease of 24 percent. One explanation for this decrease is the Court's management decision to place emphasis on its direct appeals. As a result of that decision, pending

cases decreased by 2.4 percent, compared to an increase of 18.4 percent during the previous year.

With slight fluctuations, civil appeals have remained relatively consistent since the procedure of pre-hearing conferences was implemented. The Court appears to have successfully managed its civil workload through the conferences by attempting to either resolve, or at least limit, the issues before the cases are placed on the regular docket.

Innovative management decisions such as the one instituted this year, which resulted in a decrease in the pending caseload, coupled with a continuing effort to dispose of cases in an expeditious manner will continue to be a necessity as the Court of Special Appeals tackles the complex issues facing society today. Given the present nature of criminal activity, the Court undoubtedly will be faced with an increasing criminal workload once again.

TABLE CSA-6
FIVE-YEAR COMPARATIVE TABLE
DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL
AND OTHER MISCELLANEOUS CASES
FISCAL 1988-FISCAL 1992

	1988	1989	1990	1991	1992
POST CONVICTION-TOTAL	121	162	135	165	65
Granted	9	7	7	18	9
Dismissed or Transferred	8	34	32	19	0
Denied	102	120	94	121	56
Remanded	2	1	2	7	0
INMATE GRIEVANCE-TOTAL	11	19	17	13	23
Granted	1	2	9	2	0
Dismissed or Transferred	1	1	0	0	0
Denied	9	16	8	11	23
Remanded	0	0	0	0	0
OTHER MISCELLANEOUS-TOTAL	88	49	52	76	80
Granted	12	3	3	9	3
Dismissed or Transferred	6	10	7	2	0
Denied	69	35	42	65	77
Remanded	1	1	0	0	0
VIOLATIONS OF PROBATION-TOTAL*	-	-	-	-	25
Granted	-	-	-	-	2
Dismissed or Transferred	-	-	-	-	1
Denied	-	-	-	-	22
Remanded	-	-	-	-	0

* Effective July 1, 1991, Violations of Probation were removed from the Direct Appeal docket. Anyone appealing from a Violation of Probation must now file an Application for Leave to Appeal.

TABLE CSA-7
CASES DISPOSED BY
COURT OF SPECIAL APPEALS
Regular Docket
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Civil	Juvenile	Criminal	Total
Affirmed	405	19	737	1,161
Reversed	124	4	105	233
Dismissed—Opinion Filed	29	1	7	37
Dismissed Without Opinion	0	0	0	0
Remanded Without Affirmance or Reversal	11	0	2	13
Vacated and Remanded	44	1	12	57
Affirmed in Part, Reversed in Part	72	1	78	151
Dismissed Prior to Argument or Submission	190	17	109	316
Transferred to Court of Appeals	44	1	6	51
Origin				
1989 Docket	2	0	2	4
1990 Docket	170	8	268	446
1991 Docket	699	35	776	1,510
1992 Docket	48	1	10	59
Total Cases Disposed During Fiscal 1992	919	44	1,056	2,019

TABLE CSA-8
PENDING CASES
COURT OF SPECIAL APPEALS
Regular Docket
June 30, 1992

	Civil	Juvenile	Criminal	Total
Origin				
1988 Docket	2	0	0	2
1989 Docket	11	0	1	12
1990 Docket	5	0	2	7
1991 Docket	139	10	238	387
1992 Docket	309	13	313	635
Total Cases Pending at Close of Fiscal 1992	466	23	554	1,043

Includes pending cases to be heard in September Term 1992.

TABLE CSA-9
RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS
FILINGS ON 1991 REGULAR DOCKET
AND CIRCUIT COURT TRIALS IN FISCAL 1991

Jurisdiction	Court of Special Appeals 1991 Regular Docket	Circuit Court Fiscal 1991 Trials	Ratio of Appeals to Trials
Kent County	15	30	.50
Montgomery County	265	886	.30
Carroll County	25	87	.29
Somerset County	24	91	.26
Frederick County	37	142	.26
Washington County	39	184	.21
Baltimore City	487	2,368	.21
Harford County	59	305	.19
Prince George's County	279	1,490	.19
Queen Anne's County	19	103	.18
Dorchester County	29	163	.18
Wicomico County	45	304	.15
Caroline County	34	223	.15
Baltimore County	214	1,820	.12
Calvert County	23	191	.12
Anne Arundel County	160	1,317	.12
Charles County	45	430	.10
Allegany County	10	129	.08
Garrett County	10	126	.08
Talbot County	23	289	.08
Cecil County	37	591	.06
Howard County	41	794	.05
St. Mary's County	19	450	.04
Worcester County	17	483	.04
TOTAL	1,956	12,996	.15

TABLE CSA-10
AVERAGE TIME INTERVALS FOR
CASES DISPOSED BY
COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Docketing to Argument or to Disposition Without Argument*	Argument to Decision**
Days	180	43
Months	6.0	1.4
Number of Cases	2,019	1,652

* Includes all cases disposed in Fiscal 1992.

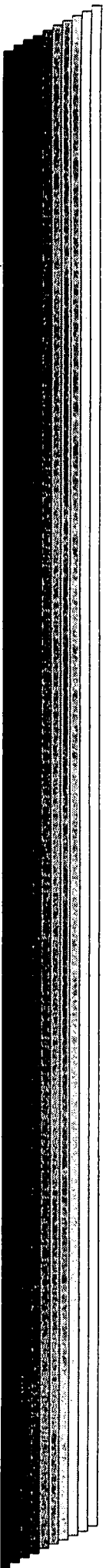
** Includes all cases disposed in Fiscal 1992 which were argued.

TABLE CSA-11
FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF SPECIAL APPEALS

(In Days and Months)

Docket	Original Filing to Disposition In Court Below	Disposition In Circuit Court to Docketing In Court of Special Appeals
1987	391 13.0	108 3.6
1988	364 12.1	116 3.9
1989	373 12.4	104 3.5
1990	356 11.9	103 3.4
1991	372 12.4	119 4.0

THE CIRCUIT COURTS



The Circuit Courts

Introduction

The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county, along with all of the additional powers and jurisdiction conferred by the Constitution and the law, except when jurisdiction has been limited or conferred upon another tribunal by law.

In each county of the State and Baltimore City, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad but, generally, it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits is comprised of two or more counties, while the Eighth Judicial Circuit only consists of Baltimore City. On January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of January 1, 1992, there were 123 circuit court judges, with at least one judge for each county and 25 in Baltimore City. Unlike the other three court levels in Maryland, there is no chief judge who is administrative head of the circuit courts. However, there are eight circuit administrative judges appointed by the

Chief Judge of the Court of Appeals. They perform administrative duties in each of their respective circuits and are assisted by county administrative judges.

Each circuit court judge initially is appointed to office by the Governor and must stand for election at the next general election which follows, by at least one year, the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

The total number of filings reported by the circuit courts during Fiscal Year 1992 was 261,663, an increase of 18,445 or 7.6 percent over the 243,218 filings reported during Fiscal Year 1991. Each of the three case types—civil, criminal, and juvenile—reported increases. Civil cases, which showed the greatest increase, rose by 8.9 percent with 12,152 additional filings; the filings went from 137,077 in Fiscal Year 1991 to 149,229 in Fiscal Year 1992. Criminal filings followed with a 6.6 percent of 4,611 additional cases; filings increased from 69,451 in Fiscal Year 1991 to 74,062 in Fiscal Year 1992. Juvenile filings, which decreased by more than seven percent in Fiscal Year 1991, increased by 4.6 percent from 36,690 in Fiscal Year 1991 to 38,372 in Fiscal Year 1992 (Table CC-3).

Approximately 57 percent of the filings in Fiscal Year 1992

were civil matters (Table CC-7). Domestic relation cases accounted for 50.4 percent of the civil cases filed. The figure of 75,225 represents an increase of 7.6 percent over the previous year's total of 69,893 for domestic relation cases. Another category in which a significant increase occurred was "other law" which rose from 2,235 during Fiscal Year 1991 to 7,445 in Fiscal Year 1992. Montgomery County contributed to the increase in this category with 3,924 additional filings. Also, during Fiscal Year 1992, certain law matters were reported for the first time.

The five major jurisdictions reported a total of 108,133 civil filings, accounting for more than 72 percent of the civil caseload during Fiscal Year 1992. Montgomery County contributed the greatest number of filings with 27,318 (18.3 percent), followed by Prince George's County, which contributed 26,457 (17.7 percent). Of the remaining three larger jurisdictions, Baltimore City reported 23,733 (15.9 percent), while Anne Arundel and Baltimore Counties contributed 15,537 (10.4 percent) and 15,088 (10.1 percent) civil filings, respectively (Table CC-17).

In exercising jurisdiction formerly held by an orphan's court, the Circuit Court for Montgomery County reported that it conducted 397 hearings and signed 5,216 orders. The Circuit Court for Harford County, which exercises the same jurisdiction, recorded 40 hearings and signed 515 orders.

Criminal filings accounted for

28.3 percent of the total filings reported by the circuit courts during Fiscal Year 1992. This figure compares to 28.6 percent in Fiscal Year 1991 (Table CC-7). An increase of 13.9 percent in indictment and criminal information filings contributed to the 6.6 percent increase realized in overall criminal filings during Fiscal Year 1992. Increases in this case category, which include most felonies, were reported by fifteen of the twenty-four jurisdictions. Each of the five major jurisdictions reported increases, with the most significant increase occurring in Montgomery County. In that County, 2,573 indictment and information petitions were filed in Fiscal Year 1992, compared with 1,943 filings in Fiscal Year 1991, which is an increase

of 32.4 percent. Anne Arundel and Prince George's Counties followed with increases of 28.6 percent and 23 percent, respectively.

For the first time in the last three fiscal years, a total increase occurred in jury trial prayers. There were 25,104 jury trial prayers reported during Fiscal Year 1991, compared to the current level of 26,262 which is an increase of 4.6 percent. Baltimore County, with a 26.2 percent decrease in jury trial prayers from 4,002 in Fiscal Year 1991 to 2,952 in Fiscal Year 1992, was the only major jurisdiction to report a decrease in this category. This contrasts with the previous fiscal year when four out of the five major jurisdictions reported decreases. During the last three years, an instant jury trial prayer

program has been operational in Baltimore City and Baltimore and Montgomery Counties. An instant jury trial program became operational in Anne Arundel County in July, 1992.

The five major jurisdictions accounted for 71.8 percent of the total criminal caseload reported for Fiscal Year 1992. Baltimore City contributed the greatest number of criminal cases with 23,020 (31.1 percent). Following was Prince George's County with 9,005 filings (12.2 percent) and Anne Arundel County with 7,626 (10.3 percent). Baltimore and Montgomery Counties contributed 7,200 (9.7 percent) and 6,352 (8.6 percent) of the filings, respectively (Table CC-22).

Filings of juvenile cases accounted for 14.7 percent of the total cases reported during Fiscal Year 1992. In Fiscal Year 1991, juvenile filings constituted 15.1 percent of the circuit courts' caseload. Although juvenile filings comprised a smaller percentage of the overall caseload, there was an increase of 4.6 percent reported in Fiscal Year 1992. Delinquency and C.I.N.A. filings increased by 4.9 percent and 4.4 percent, respectively, and contributed to the overall increase. Decreases were noted in both of these categories during the previous fiscal year when total juvenile filings decreased by 7.5 percent.

The five major jurisdictions reported a combined total of 30,637 juvenile filings, representing an increase of 3.2 percent over the Fiscal Year 1991 level of 29,678. Of the five major jurisdictions, Prince George's County was the only one in which a decrease occurred. There were 5,390 juvenile filings reported by that jurisdiction in Fiscal Year 1991, compared to 4,620 in Fiscal

TABLE CC-1
CIRCUIT COURT-FILINGS BY FISCAL YEAR

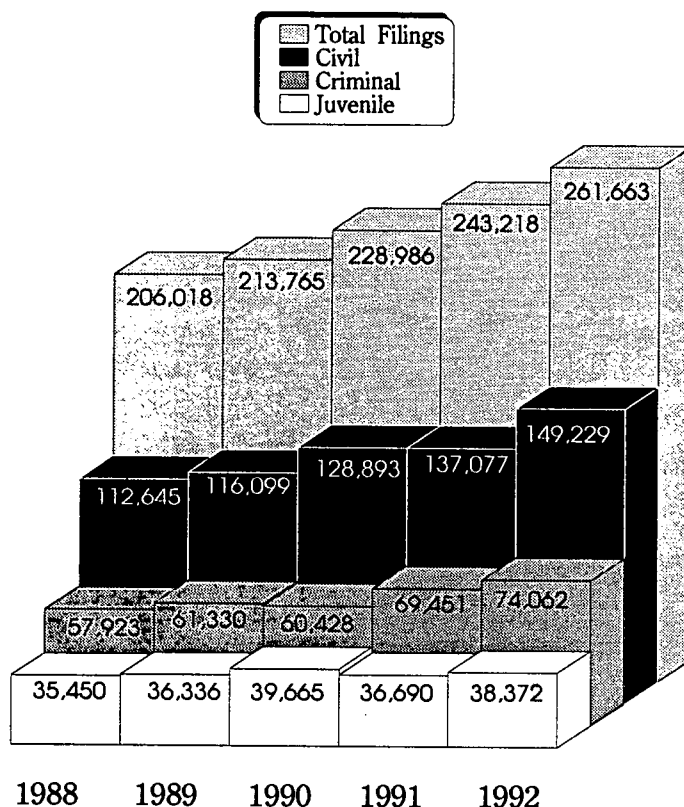


TABLE CC-2
FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS
FISCAL 1988-FISCAL 1992

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1987-88		1988-89		1989-90		1990-91		1991-92	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	7,930	7,418	8,836	7,958	8,947	8,043	9,190	8,804	10,882	10,159
Dorchester	1,726	1,533	1,800	1,278	1,792	1,683	1,674	1,586	2,218	1,916
Somerset	1,108	1,008	1,314	1,210	1,334	1,216	1,579	1,509	1,784	1,696
Wicomico	2,994	2,830	3,621	3,379	3,663	3,314	3,577	3,680	3,854	3,962
Worcester	2,102	2,047	2,101	2,091	2,158	1,830	2,360	2,029	3,026	2,585
SECOND CIRCUIT	6,939	6,243	7,840	7,333	9,238	8,169	9,721	8,628	10,442	9,866
Caroline	1,180	1,188	1,238	1,222	1,283	1,186	1,401	1,258	1,325	1,344
Cecil	2,897	2,476	3,194	2,979	3,817	3,031	4,001	3,359	4,633	4,155
Kent	643	570	661	575	883	746	966	832	1,437	1,319
Queen Anne's	1,045	1,000	1,306	1,210	1,654	1,585	1,648	1,514	1,342	1,418
Talbot	1,174	1,009	1,441	1,347	1,601	1,621	1,705	1,665	1,705	1,630
THIRD CIRCUIT	31,968	28,912	33,334	29,395	33,713	29,639	31,995	28,286	33,492	29,987
Baltimore	25,509	22,572	26,371	22,694	27,274	24,318	25,384	22,994	25,736	22,365
Harford	6,459	6,340	6,963	6,701	6,439	5,321	6,611	5,292	7,756	7,622
FOURTH CIRCUIT	7,463	7,591	8,097	7,225	8,832	7,245	8,645	7,997	9,350	8,759
Allegany	2,052	2,469	2,226	1,857	2,296	1,862	2,366	2,148	2,576	2,581
Garrett	906	889	949	882	1,063	946	1,090	1,082	1,131	1,111
Washington	4,505	4,233	4,922	4,486	5,473	4,437	5,189	4,767	5,643	5,067
FIFTH CIRCUIT	25,611	21,247	26,808	21,073	31,675	29,299	38,995	33,499	40,074	34,229
Anne Arundel	15,717	11,772	16,565	11,661	19,960	18,956	26,633	23,137	26,798	21,747
Carroll	4,049	3,811	4,247	3,959	4,563	3,955	4,978	4,038	5,581	4,653
Howard	5,845	5,664	5,996	5,453	7,152	6,388	7,384	6,324	7,695	7,829
SIXTH CIRCUIT	27,972	23,534	30,860	25,367	33,916	22,557	34,551	22,688	43,971	31,660
Frederick	3,805	3,284	4,159	3,272	4,787	4,437	5,281	4,095	5,289	4,195
Montgomery*	24,167	20,250	26,701	22,095	29,129	18,120	29,270	18,593	38,682	27,465
SEVENTH CIRCUIT	45,077	40,742	46,932	41,021	49,807	43,734	50,728	43,156	52,777	45,916
Calvert	1,695	1,600	1,793	1,779	2,913	2,206	2,868	3,076	2,904	2,804
Charles	4,733	4,257	4,825	4,137	4,741	3,884	4,934	4,275	5,539	5,048
Prince George's	35,314	31,943	36,533	31,928	38,931	34,718	39,037	32,442	40,082	34,577
St. Mary's	3,335	2,942	3,781	3,177	3,222	2,926	3,889	3,363	4,252	3,487
EIGHTH CIRCUIT	53,058	47,716	51,058	42,802	52,858	45,815	59,393	52,863	60,675	57,662
Baltimore City	53,058	47,716	51,058	42,802	52,858	45,815	59,393	52,863	60,675	57,662
STATE	206,018	183,403	213,765	182,174	228,986	194,501	243,218	205,921	261,863	228,238

*Includes juvenile cases processed at the District Court level.

NOTE: See note on Table CC-17.

TABLE CC-3
COMPARATIVE TABLE ON FILINGS
IN THE CIRCUIT COURTS
FISCAL 1991-FISCAL 1992

	CIVIL			CRIMINAL			JUVENILE			TOTAL		
	1990-91	1991-92	% Change	1990-91	1991-92	% Change	1990-91	1991-92	% Change	1990-91	1991-92	% Change
FIRST CIRCUIT												
Dorchester	1,048	1,360	29.8	495	659	33.1	131	199	51.9	1,674	2,218	32.5
Somerset	898	1,061	18.2	597	588	-1.5	84	135	60.7	1,579	1,784	13.0
Wicomico	1,851	2,305	24.5	1,382	1,255	-9.2	344	294	-14.5	3,577	3,854	7.8
Worcester	1,345	1,647	22.5	811	1,101	35.8	204	278	36.3	2,360	3,026	28.2
SECOND CIRCUIT												
Caroline	989	1,064	7.6	298	187	-37.3	114	74	-35.1	1,401	1,325	-5.4
Cecil	2,394	2,677	11.8	1,133	1,271	12.2	474	685	44.5	4,001	4,633	15.8
Kent	692	1,146	65.6	219	225	2.7	55	66	20.0	966	1,437	48.8
Queen Anne's	1,169	901	-22.9	246	205	-16.8	233	236	1.3	1,648	1,342	-18.6
Talbot	1,084	1,024	-5.5	441	447	1.4	180	234	30.0	1,705	1,705	0.0
THIRD CIRCUIT												
Baltimore County	14,061	15,088	7.3	7,955	7,200	-9.5	3,368	3,448	2.4	25,384	25,736	1.4
Harford	3,309	4,246	28.3	2,510	2,601	3.6	792	909	14.8	6,611	7,756	17.3
FOURTH CIRCUIT												
Allegany	1,591	1,805	13.5	494	442	-10.5	281	329	17.1	2,366	2,576	8.9
Garrett	810	863	6.5	137	153	11.7	143	115	-19.6	1,090	1,131	3.8
Washington	3,102	3,424	10.4	1,322	1,529	15.7	765	690	-9.8	5,189	5,643	8.8
FIFTH CIRCUIT												
Anne Arundel	17,016	15,537	-8.7	6,308	7,626	20.9	3,309	3,635	9.9	26,633	26,798	0.6
Carroll	2,529	2,903	14.8	1,900	2,059	8.4	549	619	12.8	4,978	5,581	12.1
Howard	3,713	3,671	-1.1	2,986	3,310	10.9	685	714	4.2	7,384	7,695	4.2
SIXTH CIRCUIT												
Frederick	3,195	3,230	1.1	1,479	1,365	-7.7	607	694	14.3	5,281	5,289	0.2
Montgomery*	20,439	27,318	33.7	4,857	6,352	30.8	3,974	5,012	26.1	29,270	38,682	32.2
SEVENTH CIRCUIT												
Calvert	1,277	1,411	10.5	1,186	1,034	-12.8	405	459	13.3	2,868	2,904	1.3
Charles	3,200	3,684	15.1	1,118	1,310	17.2	616	545	-11.5	4,934	5,539	12.3
Prince George's	26,007	26,457	1.7	7,640	9,005	17.9	5,390	4,620	-14.3	39,037	40,082	2.7
St. Mary's	2,602	2,674	2.8	937	1,118	19.3	350	460	31.4	3,889	4,252	9.3
EIGHTH CIRCUIT												
Baltimore City	22,756	23,733	4.3	23,000	23,020	0.1	13,637	13,922	2.1	59,393	60,675	2.2
STATE	137,077	149,229	8.9	69,451	74,062	6.6	36,690	38,372	4.6	243,218	261,663	7.6

*Includes juvenile cases processed at the District Court level.

Year 1992. This was a decrease of 14.3 percent. The overall decrease in Prince George's County can be attributed to decreases in both delinquency and C.I.N.A. filings. The greatest increase in juvenile filings was reported by Montgomery County with 26.1 percent, followed by Anne Arundel County which reported an increase of 9.9 percent. Baltimore County and Baltimore City reported increases of 2.4 percent and 2.1 percent, respectively (Table CC-27).

Terminations

During Fiscal Year 1992, increases were reported in each of the three case categories, resulting in the third consecutive increase in terminations for the circuit courts. Generally, terminations increased by 10.8 percent with 205,921 total terminations in Fiscal Year 1991 to 228,238 in Fiscal Year 1992 (Table CC-2). After decreasing for three years, the ratio of terminations to the percentage of filings increased to the current level of 87.2 percent. This compares to 84.7 percent in Fiscal Year 1991, 84.9 percent in Fiscal Year 1990, and 85.2 percent in Fiscal Year 1989 (Table CC-4).

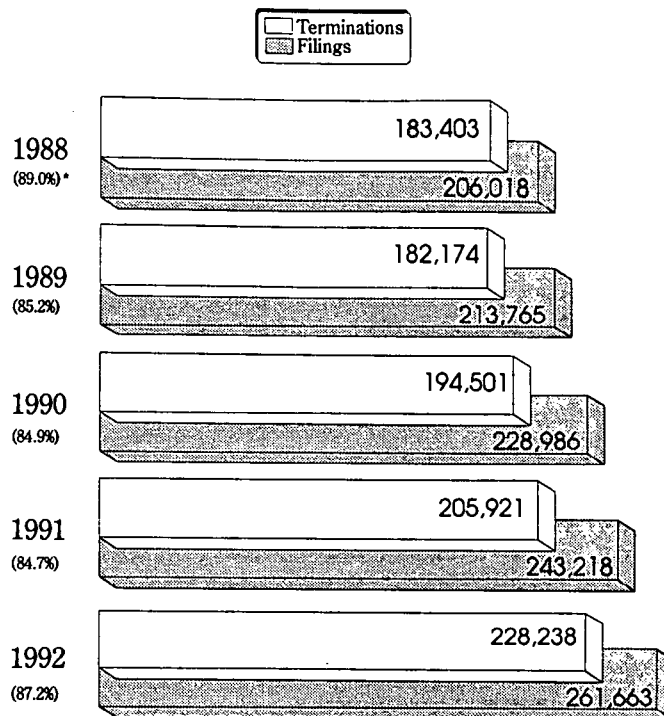
As previously mentioned, increases were reported in civil, criminal, and juvenile cases. The most significant increase occurred in civil terminations, with an increase of 14.4 percent from 109,111 terminations in Fiscal Year 1991 to 124,829 in Fiscal Year 1992. This increase marks the third consecutive year during which an increase has occurred in civil terminations. Among civil cases, significant increases in contract, as well as "other law," terminations contributed to the overall increase. As mentioned in

a previous section, Montgomery County reported an increased number of "other law" cases as a result of reporting certain categories for the first time. In addition, the other major jurisdictions also reported increases in this category, which contributed to the additional 2,760 terminations. Another contributing factor to the increase in civil terminations was the 53.1 percent increase in disposed contract cases, from 9,258 terminations in Fiscal Year 1991 to 14,175 in Fiscal Year 1992 (Table CC-9). The five major jurisdictions, with 87,028 civil terminations, accounted for nearly 70 percent of the total figure. Prince George's County contributed the greatest number of civil terminations for Fiscal Year 1992 with 22,877 (18.3 percent), followed by Baltimore City with

21,926 (17.6 percent). Montgomery, Baltimore, and Anne Arundel Counties contributed 14.7 percent, 9.7 percent, and 9.4 percent, respectively (Table CC-17).

Criminal terminations increased by 6.7 percent from 64,183 terminations in Fiscal Year 1991 to 68,458 in Fiscal Year 1992. Increases in the disposition of indictments, informations, and motor vehicle appeals contributed to the general increase. There were 29,514 indictment and criminal information terminations during Fiscal Year 1991 compared to 34,621 during Fiscal Year 1992, an increase of 17.3 percent. Collectively, the five major jurisdictions accounted for 78.9 percent of all indictment and criminal information terminations. Each of the five major ju-

TABLE CC-4
TERMINATIONS AS A PERCENTAGE
OF FILINGS IN THE CIRCUIT COURTS



* The percentage of filings that are terminated.

risdictions reported increases, with the greatest increase occurring in Anne Arundel County at 35.2 percent. Terminations of motor vehicle appeals increased by 16.7 percent from 2,042 to 2,384 (Table CC-9). The greatest number of terminations was reported by Baltimore City at 23,447, an increase of 8.4 percent over the Fiscal Year 1991 level of 21,637. Prince George's County followed with 7,864 terminations, compared to 7,068 in the previous fiscal year which is an increase of 11.3 percent. Anne Arundel and Montgomery Counties also reported increases of 27.6 percent and 11.9 percent, respectively. Baltimore County, which reported a decrease of 15.2 percent, was the only major jurisdiction to report a decrease. Contributing to the decrease in Baltimore County was the 36.5 percent decrease in the disposition of jury trial prayers. As previously mentioned, the instant jury trial prayer program underway in Baltimore County has been quite effective in reducing the number of requests for jury trials emanating from the District Court (Table CC-22).

After decreasing in Fiscal Year 1991, juvenile terminations increased once again during Fiscal Year 1992. An increase of 7.1 percent was reported, with juvenile terminations rising from 32,619 in Fiscal Year 1991 to 34,951 in Fiscal Year 1992 (Table CC-27). Increases in delinquency and C.I.N.A. terminations contributed to the reported overall increase. Delinquency terminations increased by 7.9 percent, from 24,228 in Fiscal Year 1991 to 26,147 in Fiscal Year 1992. More than 80 percent of the disposed delinquency cases were comprised of matters terminated in the five largest jurisdictions.

The greatest number of terminations, 9,149, was reported by Baltimore City, followed by Montgomery and Prince George's Counties, which reported 3,702 and 3,407 delinquency terminations, respectively. C.I.N.A. terminations, which comprised 23.8 percent of the juvenile workload, increased by 5 percent, from 7,919 in Fiscal Year 1991 to the current level of 8,314. Montgomery County and Baltimore City were the only two major jurisdictions to report an increase in C.I.N.A. terminations at 40.2 percent and 4.5 percent, respectively. Montgomery County's 1,061 terminations included 819 cases (77.2 percent) that were reopened during the year (Table CC-9).

Of the five major jurisdictions, Baltimore City reported the greatest number of overall juvenile terminations with 12,289, an increase of 9.7 percent over the previous year's total of

11,200. Montgomery County followed with 4,906 terminations, an increase of 19.8 percent over the 4,096 terminations reported in Fiscal Year 1991. Anne Arundel County, which reported 3,482 terminations, increased by 5.5 percent, while Baltimore and Prince George's Counties both reported decreases of 6.6 percent and 10.2 percent, respectively (Table CC-27).

Court Trials, Jury Trials, and Hearings

The circuit courts conducted a total of 254,203 judicial proceedings during Fiscal Year 1992, occupying 259,968 courtroom days. Those figures are comparable to the 237,370 judicial proceedings and 240,987 courtroom days in Fiscal Year 1991. Included in the proceedings conducted in Fiscal Year 1992 were 239,800 hearings (94.3 percent);



Washington County Circuit Court

11,223 court trials (4.4 percent); and 3,180 jury trials (1.3 percent) (Table CC-11). There were 99,621 criminal hearings, 70,161 juvenile hearings and 70,018 civil hearings conducted during the fiscal year. In keeping with past years, a majority of the court trials were civil in nature (6,820 or 60.8 percent), while the greatest number of jury trials involved criminal cases (1,721 or 54.1 percent) (Table CC-10).

Elapsed Time of Case Dispositions

During Fiscal Year 1992, the average elapsed time from the filing of a case to its disposition decreased in both the civil and criminal areas, while the average elapsed time increased for juvenile cases. The average amount of time expended from the filing to the disposition of a civil case in Fiscal Year 1992 was 204 days. That figure compares to 211 days during the previous fiscal year. The average elapsed time for disposing of criminal cases also decreased, from 120 days in Fiscal Year 1991 to 112 days in Fiscal Year 1992. Juvenile cases averaged 89 days from filing to disposition during Fiscal Year 1992, an increase over the 76 days reported during Fiscal Year 1991. The above elapsed times reflect the averages once the older inactive cases have been excluded (Table CC-13).

Pending

There were 272,689 total cases pending before the circuit courts at the close of Fiscal Year 1992, a decrease of 10.3 percent from the previous year. Decreases in the number of civil and juvenile pending cases contributed to the overall decrease. The

number of civil cases pending decreased by 10.3 percent, from 208,398 at the close of Fiscal Year 1991 to the current level of 186,966 (Table CC-18). Likewise, a decrease of 36.5 percent was reported in pending juvenile cases, from 28,722 in Fiscal Year 1991 to 18,245 at the close of Fiscal Year 1992 (Table CC-28). Routine maintenance and removal of old cases that actually were terminated prior to the current fiscal year reduced the pending caseload statistics for all of the jurisdictions, particularly in Baltimore City. These factors contributed to a decrease in pending cases for both civil and juvenile matters. The only category in which an increase was reported was in the number of criminal cases pending. There were 66,940 criminal cases pending at the close of Fiscal Year 1991 compared to the Fiscal Year 1992 level of 67,478, an increase of 538 cases or 0.8 percent (Table CC-23). The five major jurisdictions accounted for more than 82 percent of the pending circuit court caseload (Table CC-6).

Trends

For the tenth consecutive year, an increase in total filings has been reported by the circuit courts. During this ten year period, increases in the number of filings ranged from a low of 7,726 to a high of 18,445. With the exception of a slight decrease once during the ten year period, civil and criminal filings both increased steadily. Additionally, juvenile filings increased during eight out of the ten fiscal years.

Since Fiscal Year 1982, civil filings have increased by nearly 83 percent, from 81,633 to 149,229 in Fiscal Year 1992. Contributing to this trend have been

increases in contract, tort, and domestic relation cases. There was a 64.3 percent increase in domestic relation case filings during the period. The circuit courts have received a steady influx of cases from custodial, as well as non-custodial, parents requesting modifications in support payments. In addition, the Office of Child Support Enforcement has become more involved in some jurisdictions and has contributed to the increased number of domestic relation filings. The circuit courts also have realized a steady increase in contract, as well as tort, filings. Over the last ten years, contract filings have nearly tripled from 5,751 in Fiscal Year 1982 to 15,374 in Fiscal Year 1992, while tort filings have increased by 86.6 percent.

Criminal filings also have increased significantly over the last ten years. There have been 43,487 additional criminal filings since Fiscal Year 1982 when 30,575 criminal cases were filed. From Fiscal Year 1985 through Fiscal Year 1989, jury trial prayers constituted a majority of the criminal filings. However, since Fiscal Year 1990, the criminal caseload has been comprised mainly of indictment and criminal information filings. Increases in this category have not been only in the larger, urban jurisdictions, but in some of the smaller, rural counties as well. More than fifty percent of the criminal caseload during Fiscal Year 1992 was comprised of indictment and criminal information filings. That figure compares to 47.8 percent in Fiscal Year 1991, 46.8 percent in Fiscal Year 1990, and 41.7 percent in Fiscal Year 1989. These figures indicate an increasing trend which is expected to continue as criminal activity increases throughout the State.

Jury trial prayers constituted 35.5 percent of the criminal caseload in Fiscal Year 1992 compared to 36.1 percent in Fiscal Year 1991, 46.1 percent in Fiscal Year 1990, and 51.2 percent in Fiscal Year 1989. Although jury trial prayers have not accounted for the majority of the criminal caseload during the last three fiscal years, an increase was noted in that category in Fiscal Year 1992. That increase was the first since Fiscal Year 1989.

Juvenile filings also have increased during the last ten years, from 29,750 in Fiscal Year 1982 to 38,372 in Fiscal Year 1992, an

increase of approximately 29 percent. C.I.N.A. and delinquency filings have accounted for a significant percentage of the annual juvenile caseload. Since Fiscal Year 1982, the most significant increase has been in C.I.N.A. filings, nearly 200 percent, from 3,318 to the current level of 9,162. Delinquency filings have fluctuated with no discernible trend. However, there was a 14.2 percent overall increase in this category during the ten year period.

As indicated by the above figures, the circuit courts have been inundated with an increasing

caseload in every category—civil, criminal, and juvenile. In the coming years, it is likely that this trend will continue. Problems associated with substance abuse, as well as domestic relation matters, will continue to tax the courts in the civil and criminal areas. In addition, other issues, such as matters relating to C.I.N.A. cases, will contribute to the trend of increased filings in the juvenile area. Complex contract litigation, as well as a steady influx of tort cases, also will continue to burden the courts.

TABLE CC-5
JURY TRIAL PRAYERS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
Baltimore City*	2,034	3,209	4,128	5,948	7,407	8,698	8,714	7,905	4,061	3,140	3,450
Anne Arundel County	381	392	459	720	922	1,066	1,343	2,037	2,045	2,383	2,599
Baltimore County	1,050	1,424	1,513	2,245	3,363	4,348	4,683	5,499	5,691	4,002	2,952
Montgomery County	489	1,223	1,924	2,631	2,511	3,560	3,955	3,709	2,210	1,810	2,493
Prince George's County	895	1,583	2,755	4,043	4,348	4,003	3,111	2,937	3,314	2,955	3,297
All Other Counties	1,399	1,930	2,414	3,593	4,733	6,569	7,978	9,339	10,562	10,814	11,471
Total	6,248	9,761	13,193	19,180	23,284	28,244	29,784	31,426	27,883	25,104	26,262

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

TABLE CC-6
TOTAL CASES FILED, TERMINATED, AND PENDING
IN THE CIRCUIT COURTS

JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	PENDING	Filed	Terminated	PENDING
	Beginning of Year			End of Year
FIRST CIRCUIT	5,011	10,882	10,159	5,734
Dorchester	1,291	2,218	1,916	1,593
Somerset	667	1,784	1,696	755
Wicomico	1,446	3,854	3,962	1,338
Worcester	1,607	3,026	2,585	2,048
SECOND CIRCUIT	4,986	10,442	9,866	5,562
Caroline	600	1,325	1,344	581
Cecil	2,693	4,633	4,155	3,171
Kent	447	1,437	1,319	565
Queen Anne's	617	1,342	1,418	541
Talbot	629	1,705	1,630	704
THIRD CIRCUIT	34,025	33,492	29,987	37,530
Baltimore County	27,689	25,736	22,365	31,060
Harford	6,336	7,756	7,622	6,470
FOURTH CIRCUIT	5,954	9,350	8,759	6,545
Allegany	2,059	2,576	2,581	2,054
Garrett	411	1,131	1,111	431
Washington	3,484	5,643	5,067	4,060
FIFTH CIRCUIT	32,482	40,074	34,229	38,327
Anne Arundel	23,083	26,798	21,747	28,134
Carroll	3,445	5,581	4,653	4,373
Howard	5,954	7,695	7,829	5,820
SIXTH CIRCUIT	43,090	43,971	31,660	55,401
Frederick	3,177	5,289	4,195	4,271
Montgomery	39,913	38,682	27,465	51,130
SEVENTH CIRCUIT	38,590	52,777	45,916	45,451
Calvert	1,340	2,904	2,804	1,440
Charles	3,827	5,539	5,048	4,318
Prince George's	31,095	40,082	34,577	36,600
St. Mary's	2,328	4,252	3,487	3,093
EIGHTH CIRCUIT	75,126	60,675	57,662	78,139
Baltimore City	75,126	60,675	57,662	78,139
STATE	239,264	261,663	228,238	272,689

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is also reflected in Tables CC-18, CC-23, and CC-28.

TABLE CC-7
PERCENTAGES OF ORIGINAL AND REOPENED CASES FILED
JULY 1, 1991—JUNE 30, 1992
FISCAL 1992

	CIVIL		CRIMINAL		JUVENILE		TOTAL (100%)
	Number	Percent	Number	Percent	Number	Percent	
FIRST CIRCUIT	6,373	58.6	3,603	33.1	906	8.3	10,882
Dorchester	1,360	61.3	659	29.7	199	9.0	2,218
Somerset	1,061	59.5	588	33.0	135	7.6	1,784
Wicomico	2,305	59.8	1,255	32.6	294	7.6	3,854
Worcester	1,647	54.4	1,101	36.4	278	9.2	3,026
SECOND CIRCUIT	6,812	65.2	2,335	22.4	1,295	12.4	10,442
Caroline	1,064	80.3	187	14.1	74	5.6	1,325
Cecil	2,677	57.8	1,271	27.4	685	14.8	4,633
Kent	1,146	79.7	225	15.7	66	4.6	1,437
Queen Anne's	901	67.1	205	15.3	236	17.6	1,342
Talbot	1,024	60.1	447	26.2	234	13.7	1,705
THIRD CIRCUIT	19,334	57.7	9,801	29.3	4,357	13.0	33,492
Baltimore County	15,088	58.6	7,200	28.0	3,448	13.4	25,736
Harford	4,246	54.7	2,601	33.5	909	11.7	7,756
FOURTH CIRCUIT	6,092	65.2	2,124	22.7	1,134	12.1	9,350
Allegany	1,805	70.1	442	17.2	329	12.8	2,576
Garrett	863	76.3	153	13.5	115	10.2	1,131
Washington	3,424	60.7	1,529	27.1	690	12.2	5,643
FIFTH CIRCUIT	22,111	55.2	12,995	32.4	4,968	12.4	40,074
Anne Arundel	15,537	58.0	7,626	28.5	3,635	13.6	26,798
Carroll	2,903	52.0	2,059	36.9	619	11.1	5,581
Howard	3,671	47.7	3,310	43.0	714	9.3	7,695
SIXTH CIRCUIT	30,548	69.5	7,717	17.6	5,706	13.0	43,971
Frederick	3,230	61.1	1,365	25.8	694	13.1	5,289
Montgomery*	27,318	70.6	6,352	16.4	5,012	13.0	38,682
SEVENTH CIRCUIT	34,226	64.9	12,467	23.6	6,084	11.5	52,777
Calvert	1,411	48.6	1,034	35.6	459	15.8	2,904
Charles	3,684	66.5	1,310	23.7	545	9.8	5,539
Prince George's	26,457	66.0	9,005	22.5	4,620	11.5	40,082
St. Mary's	2,674	62.9	1,118	26.3	460	10.8	4,252
EIGHTH CIRCUIT	23,733	39.1	23,020	37.9	13,922	22.9	60,675
Baltimore City	23,733	39.1	23,020	37.9	13,922	22.9	60,675
STATE	149,229	57.0	74,062	28.3	38,372	14.7	261,663

* Juvenile cases heard at District Court level.

TABLE CC-8
CATEGORIES OF FILINGS
ORIGINAL AND REOPENED CASES FILED
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Dorchester	Somerset	Wicomico	Worcester	Ceroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Weehington	Anne Arundel	Cerroll	Howard	Frederick	Montgomery	Calvert	Cherlee	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL-TOTALS	1,360	1,061	2,305	1,647	1,064	2,677	1,146	601	1,024	15,088	4,246	1,605	863	3,424	15,537	2,603	3,671	3,230	27,316	1,411	3,684	26,457	2,874	23,733	149,229
MOTOR TORT	20	14	114	38	25	101	22	27	25	1,480	234	73	24	94	879	134	234	115	1,320	52	200	2,311	107	4,008	11,651
OTHER TORT	3	8	16	14	6	11	6	8	6	492	42	18	13	25	177	19	100	96	752	34	49	810	16	1,242	3,961
CONTRACT	40	14	95	61	26	32	38	23	52	1,761	164	8	37	114	1,457	85	599	248	7,437	43	162	1,648	70	1,160	15,374
CONDEMNATION	0	0	0	2	0	2	1	0	0	47	4	0	0	0	17	1	5	4	20	1	2	6	2	71	185
CONTESTED CONFESSION	3	8	3	3	0	0	0	6	0	16	0	1	0	0	3	5	8	0	1	2	2	0	1	292	352
JUDGMENT																									
OTHER LAW	14	34	32	18	1	175	5	0	0	941	138	144	7	5	430	0	0	100	4,775	35	0	373	96	122	7,445
APPEALS:																									
District Court—On Record	11	0	3	7	1	7	0	1	5	59	13	3	4	4	43	0	25	9	64	5	5	1	9	10	289
District Court—De Novo	3	2	13	4	3	16	7	2	5	131	30	10	1	12	108	5	25	25	202	7	22	6	3	14	656
Administrative Agency	40	38	57	16	9	44	8	20	24	590	189	103	27	101	424	89	125	65	391	36	59	451	42	871	3,819
UNREPORTED LAW	0	0	0	0	0	1	1	0	0	0	0	0	0	0	8	0	0	0	1	0	0	0	0	0	11
DIVORCE/NULLITY	287	161	559	253	180	595	212	141	226	3,560	999	523	193	905	3,982	829	1,020	916	3,696	341	862	5,404	713	3,840	30,397
OTHER DOMESTIC RELATIONS	137	254	382	230	263	750	223	158	65	2,462	381	108	283	611	989	632	517	663	263	233	729	5,155	438	914	16,840
ADOPTION/GUARDIANSHIP	26	6	45	28	20	65	28	12	33	271	127	33	57	111	320	125	82	119	734	35	45	288	46	466	3,120
PATERNITY	810	414	710	455	382	563	506	218	223	1,452	879	324	110	720	3,524	184	309	399	1,579	280	1,076	5,845	825	3,281	24,868
OTHER GENERAL	155	96	263	504	145	309	84	284	238	1,767	651	444	104	426	3,095	785	585	460	2,976	300	454	4,119	262	7,323	25,829
UNREPORTED CATEGORY	11	14	13	16	3	6	5	1	122	59	395	15	3	296	81	10	37	11	3,107	7	17	40	44	119	4,432
JUVENILE-TOTALS	189	135	294	278	74	685	89	236	234	3,448	909	329	115	690	3,635	616	714	664	5,012	456	545	4,620	460	13,622	36,372
DELINQUENCY	116	64	241	211	43	242	47	175	152	2,758	598	162	61	393	2,691	447	608	521	3,911	314	383	3,832	352	10,312	28,634
ADULT	0	0	0	0	0	0	0	0	0	2	0	0	2	0	0	13	0	1	6	0	0	1	3	1	29
CHILD IN NEED OF SUPERVISION	3	0	1	3	1	1	3	20	3	6	0	29	11	12	11	11	3	40	105	1	3	0	0	197	464
CHILD IN NEED OF ASSISTANCE	74	87	52	64	30	439	15	41	78	667	310	138	41	277	930	143	102	130	983	142	158	776	94	3,411	9,162
UNREPORTED CATEGORY	6	4	0	0	0	3	1	0	1	15	1	0	0	8	3	5	1	2	7	2	1	11	11	1	83
CRIMINAL-TOTALS	659	588	1,256	1,101	167	1,271	225	205	447	7,200	2,601	442	183	1,529	7,628	2,069	3,310	1,365	6,352	1,034	1,310	9,005	1,116	23,020	74,062
INDICTMENT INFORMATION	341	160	525	266	84	364	94	96	258	3,271	873	162	83	513	4,219	319	1,332	504	2,573	468	856	5,340	492	14,555	37,788
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle	20	9	19	36	8	50	1	6	15	524	90	27	6	24	193	174	174	103	519	13	21	105	5	263	2,405
Other	18	16	23	20	5	17	7	5	16	379	33	19	5	42	132	22	56	35	483	17	23	196	4	580	2,153
JURY TRIAL PRAYED—MOTOR	56	99	196	298	48	454	34	42	40	838	72	72	17	307	999	721	851	382	1,122	283	117	1,204	194	480	9,737
JURY TRIAL PRAYED—OTHER	203	303	467	462	34	324	86	41	98	2,069	724	155	32	608	1,600	793	880	306	1,371	223	269	2,093	414	6,725	20,280
NON SUPPORT	0	0	0	0	0	0	0	0	0	36	0	0	0	0	1	50	1	0	1	0	0	0	0	0	89
POST CONVICTION	7	0	10	0	5	6	0	11	15	0	17	0	2	19	1	0	13	0	5	4	17	1	0	73	206
UNREPORTED CATEGORY	14	1	15	19	3	36	3	4	5	38	26	7	8	15	432	29	4	34	279	6	7	66	9	344	1,404
TOTAL	2,218	1,764	3,854	3,026	1,325	4,833	1,437	1,342	1,708	25,796	7,756	2,576	1,131	6,843	26,798	5,581	7,695	5,269	36,682	2,604	5,536	40,082	4,252	60,675	261,663

NOTE: See note on Table CC-17.

TABLE CC-9
CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL AND REOPENED CASES FILED
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allagany	Garrett	Washington	Anna Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL-TOTALS	1,124	964	2,396	1,378	1,060	2,373	1,043	970	995	12,108	4,404	1,613	652	2,976	11,727	2,371	3,868	2,287	18,390	1,338	3,364	22,677	2,289	21,926	124,829
MOTOR TORT	33	18	110	45	23	100	20	36	29	1,621	266	86	13	75	722	112	266	108	1,010	66	214	2,125	126	5,102	12,326
OTHER TORT	4	4	19	14	8	14	9	5	5	535	38	16	12	34	129	15	76	68	531	21	40	511	11	1,097	3,216
CONTRACT	30	18	131	84	25	27	38	43	58	1,718	192	14	48	123	1,109	74	707	239	5,975	38	186	1,605	56	1,637	14,175
CONDEMNATION	1	0	1	0	0	1	0	5	0	70	2	1	0	0	13	1	15	2	16	4	3	8	1	116	260
CONTESTED CONFESSION	1	6	5	2	0	1	0	6	1	3	0	0	1	1	7	4	0	0	8	1	1	0	1	252	301
JUDGMENT																									
OTHER LAW	26	27	53	26	0	147	4	2	1	671	225	129	4	3	237	0	0	93	1,941	37	1	355	93	119	4,194
APPEALS:																									
District Court—On Record	4	0	3	4	0	7	1	2	1	86	12	1	3	6	15	1	15	11	37	2	1	3	8	9	212
District Court—De Novo	2	0	9	3	8	18	5	5	5	121	38	7	1	9	74	3	38	27	189	5	12	6	4	9	598
Administrative Agency	29	42	61	43	11	50	10	16	23	456	183	108	28	71	280	74	115	48	306	45	52	311	52	1,196	3,610
UNREPORTED LAW	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
DIVORCE/NULLITY	207	175	583	233	193	531	190	172	224	2,876	1,030	527	174	753	3,520	717	1,074	766	2,699	284	782	4,774	622	3,749	26,855
OTHER DOMESTIC RELATIONS	87	230	392	169	240	653	215	167	53	1,773	434	104	285	508	640	481	521	350	202	230	670	4,515	394	798	14,111
ADOPTION/GUARDIANSHIP	16	6	41	20	17	49	31	11	28	209	132	28	57	96	272	100	121	114	500	48	45	330	54	371	2,696
PATERNITY	560	362	734	393	386	510	447	204	236	829	772	290	127	612	2,782	128	280	164	922	278	958	4,950	627	1,674	19,225
OTHER GENERAL	120	74	252	336	148	264	71	296	222	1,153	718	481	97	409	1,898	659	577	294	2,132	278	397	3,377	234	5,734	20,221
UNREPORTED CATEGORY	4	2	2	4	1	0	2	0	109	7	362	21	2	276	28	2	1	3	1,922	1	2	7	6	63	2,827
JUVENILE-TOTALS	194	139	333	254	77	684	61	235	243	3,045	927	335	117	697	3,492	480	572	676	4,906	495	580	3,836	314	12,289	34,951
DELINQUENCY	114	69	280	188	46	258	42	172	155	2,462	611	174	59	417	2,518	340	467	517	3,702	343	415	3,407	242	9,149	26,147
ADULT	0	0	0	0	0	0	0	0	0	2	0	0	1	0	0	15	0	2	8	0	1	0	3	0	32
CHILD IN NEED OF SUPERVISION	2	0	1	2	0	1	3	18	5	6	1	23	9	12	12	13	2	35	129	1	3	4	0	148	430
CHILD IN NEED OF ASSISTANCE	78	66	52	64	31	405	16	45	83	570	314	138	48	267	952	110	103	122	1,061	149	161	419	69	2,991	8,314
UNREPORTED CATEGORY	0	4	0	0	0	0	0	0	0	5	1	0	0	1	0	2	0	0	6	2	0	6	0	1	28
CRIMINAL-TOTALS	598	593	1,233	985	207	1,118	215	213	392	7,212	2,291	433	142	1,384	6,558	1,602	3,451	1,232	4,169	971	1,104	7,884	884	23,447	68,456
INDICTMENT INFORMATION	297	173	535	253	99	329	107	113	225	3,216	682	194	78	476	3,715	272	1,369	582	1,558	440	744	4,453	329	14,362	34,621
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle Appeals	24	12	17	29	8	40	7	8	14	500	92	28	7	30	182	151	214	75	517	16	27	115	3	268	2,384
Other Appeals	16	11	21	25	8	27	7	5	17	386	29	21	5	38	123	26	62	28	294	17	21	183	7	582	1,957
JURY TRIAL PRAYED—MOTOR	66	116	175	264	43	438	28	41	38	925	855	59	19	298	960	714	863	273	1,062	297	83	1,159	184	689	9,649
JURY TRIAL PRAYED—OTHER	195	281	476	378	46	281	65	36	87	2,126	627	131	29	524	1,525	638	914	264	738	196	211	1,943	360	7,323	19,394
NON SUPPORT	0	0	0	1	0	0	0	0	0	55	1	0	0	3	28	0	0	2	0	0	0	0	0	0	90
POST CONVICTION	0	0	9	0	5	3	0	10	11	0	4	0	1	25	1	0	9	0	0	5	18	1	0	73	175
UNREPORTED CATEGORY	0	0	0	5	0	0	1	0	0	4	1	0	3	0	4	1	0	8	0	0	0	10	1	150	188
TOTAL	1,918	1,896	3,962	2,585	1,344	4,156	1,319	1,418	1,630	22,365	7,622	2,561	1,111	5,067	21,747	4,553	7,829	4,195	27,485	2,804	5,048	34,577	3,487	57,662	226,236

NOTE: See note on Table CC-8.

TABLE CC-10
COURT TRIALS, JURY TRIALS, AND HEARINGS BY
COUNTY, CIRCUIT, AND FUNCTIONAL AREA
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	1ST CIRCUIT	2ND CIRCUIT	3RD CIRCUIT	4TH CIRCUIT	5TH CIRCUIT	6TH CIRCUIT	7TH CIRCUIT	8TH CIRCUIT	TOTAL (STATE)
	Dorchester Somerset Woomlloo Worcester	Caroline Ceoll Kent Queen Anne's Talbot	Baltimore Harford	Allegany Garrett Weehington	Anne Arundel Carroll Howard	Frederick Montgomery	Calvert Charles Prince George's St. Mary's	Baltimore City	
CASES TRIED BY COUNTY & CIRCUIT									
Civil									
Court Trials	53	4	146	76					6820
Jury Trials	6	6	31	13					1,459
Criminal									
Court Trials	123	75	156	521					4,403
Jury Trials	52	28	67	19					1,721
COUNTY TOTALS									
Court Trials	176	79	302	597					11,223
Jury Trials	58	34	98	32					3,180
TOTAL	234	113	400	629					14,403
CIRCUIT TOTALS									
Court Trials	1,154	868	940	317	2,321	572	2,975	2,076	11,223
Jury Trials	222	187	472	131	362	405	682	719	3,180
TOTAL	1,376	1,055	1,412	448	2,683	977	3,657	2,795	14,403
CIVIL, JUVENILE, & CRIMINAL HEARINGS									
Civil Hearings	791	906	720	608					70,018
Juvenile Hearings	336	143	508	292					70,161
Criminal Hearings	1,013	717	1,751	814					99,621
COUNTY TOTALS	2,140	1,766	2,979	1,714					239,800
CIRCUIT TOTALS									
Court Trials	8,599	10,651	25,370	6,625	37,323	40,424	61,367	49,421	239,800
Jury Trials									
TOTAL									

NOTE: Information on criminal court trials and jury trials in Baltimore City is obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-11
JUDICIAL PROCEEDINGS AND COURTROOM DAYS BY COUNTY
JULY 1, 1991—JUNE 30, 1992
FISCAL 1992

	Hearings	Hearing Days	Court Trials	Court Days	Jury Trials	Jury Days	Total Judicial Proceedings	Total Courtroom Days
FIRST CIRCUIT								
Dorchester	2,140	2,141	176	177	58	60	2,374	2,378
Somerset	1,766	1,766	79	79	34	34	1,879	1,879
Wicomico	2,979	2,980	302	303	98	109	3,379	3,392
Worcester	1,714	1,714	597	597	32	34	2,343	2,345
SECOND CIRCUIT								
Caroline	1,168	1,168	169	169	24	29	1,361	1,366
Cecil	4,792	4,794	383	391	73	88	5,248	5,273
Kent	1,512	1,522	12	13	9	13	1,533	1,548
Queen Anne's	1,452	1,453	109	116	29	44	1,590	1,613
Talbot	1,727	1,731	195	198	52	60	1,974	1,989
THIRD CIRCUIT								
Baltimore County	18,910	18,941	796	926	392	769	20,098	20,636
Harford	6,460	6,463	144	168	80	165	6,684	6,796
FOURTH CIRCUIT								
Allegany	1,795	1,795	75	77	45	73	1,915	1,945
Garrett	633	634	119	126	21	29	773	789
Washington	4,197	4,199	123	123	65	75	4,385	4,397
FIFTH CIRCUIT								
Anne Arundel	24,311	24,522	1,649	1,800	229	529	26,189	26,851
Carroll	5,497	5,516	133	140	45	80	5,675	5,736
Howard	7,515	7,559	539	584	88	211	8,142	8,354
SIXTH CIRCUIT								
Frederick	4,068	4,078	85	105	66	112	4,219	4,295
Montgomery	36,356	36,490	487	585	339	604	37,182	37,679
SEVENTH CIRCUIT								
Calvert	3,413	3,414	146	158	59	80	3,618	3,652
Charles	5,646	5,649	356	369	100	149	6,102	6,167
Prince George's	48,350	48,383	2,074	2,103	497	1,058	50,921	51,544
St. Mary's	3,978	3,983	399	408	26	52	4,403	4,443
EIGHTH CIRCUIT								
Baltimore City	49,421	51,758	2,076	2,201	719	942	52,216	54,901
STATE	239,800	242,653	11,223	11,916	3,180	5,399	254,203	259,968

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings. The number of court and jury days for Baltimore City was extrapolated based on the ratio of court and jury trials to court and jury days in previous years.

TABLE CC-12
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	1ST CIRCUIT				2ND CIRCUIT				3RD CIRCUIT			4TH CIRCUIT			5TH CIRCUIT				6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Woomlco	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Herford	Allegheny	Garrett	Weehington	Anne Arundel	Cerroll	Howard	Frederick	Montgomery	Celvert	Cherlee	Prince George's	St. Mary's	Baltimore City		
	3	2	13	4	3	16	7	2	5	131	30	10	1	12	108	5	25	25	202	7	22	6	3	14		656
	11	0	3	7	1	7	0	1	5	59	13	3	4	4	43	0	25	9	64	5	5	1	9	10		289
	40	38	57	16	9	44	8	20	24	590	189	103	27	101	424	89	125	65	391	36	59	451	42	871		3,819
	54	40	73	27	13	67	15	23	34	780	232	116	32	117	575	94	175	99	657	48	86	458	54	895		4,764
CRIMINAL																										
	20	9	19	36	8	50	1	6	15	524	90	27	6	24	193	174	174	103	519	13	21	105	5	263		2,405
	18	16	23	20	5	17	7	5	16	379	33	19	5	42	132	22	56	35	483	17	23	196	4	580		2,153
	38	25	42	56	13	67	8	11	31	903	123	46	11	66	325	196	230	138	1,002	30	44	301	9	843		4,558
TOTAL	92	65	115	83	26	134	23	34	65	1,683	355	162	43	183	900	290	405	237	1,659	78	130	759	63	1,738		9,322
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT																										
Prayers for Jury Trials and Appeals:																										
County	311	429	721	827	99	868	135	97	179	4,045	1,728	286	65	997	3,075	1,715	2,011	860	3,761	548	457	3,605	629	8,072		35,520
Circuit	2,288				1,378					5,773		1,348			6,801			4,621		5,239				8,072		35,520
Circuit Court Filings:																										
County	2,218	1,784	3,854	3,026	1,325	4,633	1,437	1,342	1,705	25,736	7,756	2,576	1,131	5,643	26,798	5,581	7,695	5,289	38,682	2,904	5,539	40,082	4,252	60,675		261,663
Circuit	10,882				10,442					33,492		9,350			40,074			43,971		52,777				60,675		261,663
Percentage of Circuit Court Filings that are Jury Trials and Appeals:																										
County	14.0	24.0	18.7	27.3	7.5	18.7	9.4	7.2	10.5	15.7	22.3	11.1	5.7	17.7	11.5	30.7	26.1	16.3	9.7	18.9	8.3	9.0	14.8	13.3		13.6
Circuit	21.0				13.2					17.2		14.4			17.0			10.5		9.9				13.3		13.6

TABLE CC-13
AVERAGE DAYS FROM FILING TO DISPOSITION

	CIVIL			CRIMINAL			JUVENILE		
	1989-90	1990-91	1991-92	1989-90	1990-91	1991-92	1989-90	1990-91	1991-92
FIRST CIRCUIT									
Dorchester	192	225	186	156	136	129	48	67	53
Somerset	123	165	136	131	114	98	19	18	10
Wicomico	178	211	182	83	90	85	38	40	46
Worcester	157	181	186	122	109	111	52	56	41
SECOND CIRCUIT									
Caroline	159	155	201	141	153	137	70	52	34
Cecil	157	149	162	156	175	166	59	75	66
Kent	155	190	128	161	158	168	58	50	60
Queen Anne's	158	155	197	133	129	123	57	48	52
Talbot	186	169	167	153	129	115	77	52	61
THIRD CIRCUIT									
Baltimore	202	199	195	104	98	83	56	58	56
Harford	198	209	198	142	135	141	58	63	62
FOURTH CIRCUIT									
Allegany	218	255	298	145	143	142	58	62	72
Garrett	159	167	163	124	135	102	44	41	42
Washington	149	149	146	135	164	148	46	58	53
FIFTH CIRCUIT									
Anne Arundel	223	203	194	139	138	138	91	89	83
Carroll	186	187	207	149	124	120	63	51	53
Howard	249	224	268	132	128	127	65	61	67
SIXTH CIRCUIT									
Frederick	193	191	195	160	169	150	88	97	81
Montgomery	226	227	155	144	194	113	111	107	101
SEVENTH CIRCUIT									
Calvert	179	207	219	102	124	131	66	73	65
Charles	173	187	197	144	153	158	72	76	78
Prince George's	234	222	235	123	121	120	73	76	87
St. Mary's	167	169	194	140	128	132	82	72	68
EIGHTH CIRCUIT									
Baltimore City	211	231	235	104	109	95	70	77	108
STATE	209	211	204	121	120	112	72	76	89

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile causes over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-14
POPULATION IN RELATION TO CIRCUIT COURT CASELOAD
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Population*	POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE				CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
		No. of Judges	Population per Judge	Cases Filed Per Judge		Cases Terminated Per Judge		Total	No. of Jury Trials	Per 1000 Population
				Civil**	Criminal	Civil**	Criminal			
FIRST CIRCUIT										
Dorchester***	30,700	1.5	20,467	1,039	439	879	399	51 21 72	58	1.89
Somerset	25,500	1.0	25,500	1,196	588	1,103	593	47 23 70	34	1.33
Wicomico***	77,600	2.5	31,040	1,040	502	1,092	493	33 16 49	98	1.26
Worcester	35,500	2.0	17,750	963	551	815	478	54 31 85	32	0.90
SECOND CIRCUIT										
Caroline	28,500	1.0	28,500	1,138	187	1,137	207	40 7 47	24	0.84
Cecil	74,300	2.0	37,150	1,681	636	1,519	559	45 17 62	73	0.98
Kent	18,400	1.0	18,400	1,212	225	1,104	215	66 12 78	9	0.49
Queen Anne's	36,400	1.0	36,400	1,137	205	1,205	213	31 6 37	29	0.80
Talbot	32,100	1.0	32,100	1,258	447	1,238	392	39 14 53	52	1.62
THIRD CIRCUIT										
Baltimore County	700,200	15.0	46,680	1,236	480	1,010	481	26 10 36	392	0.56
Harford	196,800	4.0	49,200	1,289	650	1,333	573	26 13 39	80	0.41
FOURTH CIRCUIT										
Allegany	74,100	2.0	37,050	1,067	221	1,074	217	29 6 35	45	0.61
Garrett	28,800	1.0	28,800	978	153	969	142	34 5 39	21	0.73
Washington	124,700	4.0	31,175	1,029	382	918	349	33 12 45	65	0.52
FIFTH CIRCUIT										
Anne Arundel	440,500	9.0	48,944	2,130	847	1,690	726	44 17 61	229	0.52
Carroll	131,300	3.0	43,767	1,174	686	950	601	27 16 43	45	0.34
Howard	209,200	4.0	52,300	1,096	828	1,095	863	21 16 37	88	0.42
SIXTH CIRCUIT										
Frederick	160,400	3.0	53,467	1,308	455	988	411	24 9 33	66	0.41
Montgomery	812,400	15.0	54,160	1,821	423	1,226	278	34 8 42	339	0.42
SEVENTH CIRCUIT										
Calvert	56,600	1.0	56,600	1,870	1,034	1,833	971	33 17 50	59	1.04
Charles	109,000	3.0	36,333	1,410	437	1,315	368	39 12 51	100	0.92
Prince George's	754,600	19.0	39,716	1,636	474	1,406	414	41 12 53	497	0.66
St. Mary's	81,300	2.0	40,650	1,567	559	1,302	442	39 14 53	26	0.32
EIGHTH CIRCUIT										
Baltimore City****	732,200	25.0	29,288	1,506	921	1,369	938	51 31 82	719	0.98
STATE	4,971,100	123.0	40,415	1,525	602	1,299	557	38 15 53	3,180	0.64

*Population estimate for July 1, 1992, issued by the Maryland Center for Health Statistics

**Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

***Dorchester and Wicomico Counties share one judge equally.

****Information on court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office.

TABLE CC-15
FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES
FISCAL 1988-FISCAL 1992

	1987-1988		1988-1989		1989-1990		1990-1991		1991-1992	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	211	99	163	156	165	124	198	141	204	151
Dorchester	43	22	41	22	37	22	40	29	52	40
Somerset	13	16	13	80	9	31	27	28	27	38
Wicomico	62	25	45	29	41	41	45	36	58	57
Worcester	93	36	64	25	78	30	86	48	67	16
SECOND CIRCUIT	235	87	215	82	185	103	212	117	177	105
Caroline	33	16	28	7	22	16	21	22	17	9
Cecil	120	32	105	33	95	36	112	48	90	44
Kent	15	15	16	12	17	10	20	13	15	8
Queen Anne's	28	7	28	12	25	16	26	16	14	20
Talbot	39	17	38	18	26	25	33	18	41	24
THIRD CIRCUIT	1,334	650	1,283	505	1,155	589	1,337	633	1,259	779
Baltimore	1,173	508	1,095	395	1,033	483	1,163	486	1,093	590
Harford	161	142	188	110	122	106	174	147	166	189
FOURTH CIRCUIT	175	142	184	160	177	176	165	159	157	231
Allegany	48	74	55	69	56	102	63	73	59	103
Garrett	15	15	15	13	21	23	17	14	16	27
Washington	112	53	114	78	100	51	85	72	82	101
FIFTH CIRCUIT	673	555	786	394	869	450	953	506	957	638
Anne Arundel	262	402	292	273	381	272	422	324	476	424
Carroll	157	57	205	44	169	72	193	82	201	89
Howard	254	96	289	77	319	106	338	100	280	125
SIXTH CIRCUIT	924	127	1,005	50	1,147	239	1,196	400	1,440	456
Frederick	112	56	141	50	126	56	95	52	172	65
Montgomery	812	71	864	0	1,021	183	1,101	348	1,268	391
SEVENTH CIRCUIT	406	232	282	307	379	435	407	459	442	588
Calvert	36	26	37	28	65	40	52	39	42	36
Charles	55	43	53	48	89	54	74	44	71	59
Prince George's	291	136	178	196	214	306	255	344	308	451
St. Mary's	24	27	14	35	11	35	26	32	21	42
EIGHTH CIRCUIT	819	381	609	893	658	1,014	907	1,086	867	871
Baltimore City	819	381	609	893	658	1,014	907	1,086	867	871
STATE	4,777	2,273	4,527	2,547	4,735	3,130	5,375	3,501	5,503	3,819

TABLE CC-16
APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES
JULY 1, 1991—JUNE 30, 1992
FISCAL 1992

	Filed During Year	Withdrawn by Applicant	TERMINATED, CONSIDERED, AND DISPOSED OF		
			Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
FIRST CIRCUIT					
Dorchester	1	0	0	0	0
Somerset	2	0	1	0	1
Wicomico	0	0	0	0	0
Worcester	0	0	0	0	0
SECOND CIRCUIT					
Caroline	0	0	0	0	0
Cecil	2	0	1	0	0
Kent	0	0	0	0	0
Queen Anne's	2	0	2	0	0
Talbot	0	0	0	0	0
THIRD CIRCUIT					
Baltimore County	0	0	0	0	0
Harford	8	0	7	0	0
FOURTH CIRCUIT					
Allegany	4	0	5	0	0
Garrett	3	0	2	0	0
Washington	30	0	26	0	1
FIFTH CIRCUIT					
Anne Arundel	0	0	0	0	0
Carroll	0	0	0	0	0
Howard	7	2	3	0	0
SIXTH CIRCUIT					
Frederick	11	0	9	0	3
Montgomery	0	0	0	0	0
SEVENTH CIRCUIT					
Calvert	0	0	0	0	0
Charles	21	0	19	0	0
Prince George's	18	4	13	0	0
St. Mary's	0	0	0	0	0
EIGHTH CIRCUIT					
Baltimore City	141	4	122	0	0
STATE	250	10	210	0	5

TABLE CC-17
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS
FISCAL 1988-FISCAL 1992

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1987-88		1988-89		1989-90		1990-91		1991-92	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	4,719	4,392	5,114	4,521	5,275	4,509	5,142	5,080	6,373	5,860
Dorchester	1,190	1,036	998	711	1,049	881	1,048	1,004	1,360	1,124
Somerset	783	742	866	802	836	746	898	940	1,061	964
Wicomico	1,650	1,524	2,076	1,883	2,068	1,792	1,851	2,051	2,305	2,396
Worcester	1,096	1,090	1,174	1,125	1,322	1,090	1,345	1,085	1,647	1,376
SECOND CIRCUIT	4,373	3,964	4,778	4,467	5,773	5,066	6,328	5,674	6,812	6,441
Caroline	832	807	864	852	941	882	989	891	1,064	1,060
Cecil	1,875	1,589	2,017	1,882	2,236	1,861	2,394	2,031	2,677	2,373
Kent	376	370	417	377	603	503	692	623	1,146	1,043
Queen Anne's	619	579	751	689	1,134	1,015	1,169	1,056	901	970
Talbot	671	619	729	667	859	805	1,084	1,073	1,024	995
THIRD CIRCUIT	16,676	15,351	16,674	13,923	16,879	13,798	17,370	13,674	19,334	16,512
Baltimore	13,365	11,899	13,111	10,304	13,673	11,260	14,061	11,232	15,088	12,108
Harford	3,311	3,452	3,563	3,619	3,206	2,538	3,309	2,442	4,246	4,404
FOURTH CIRCUIT	4,827	4,983	4,924	4,434	5,486	4,281	5,503	5,001	6,092	5,641
Allegany	1,388	1,739	1,527	1,265	1,601	1,156	1,591	1,509	1,805	1,813
Garrett	676	659	652	605	707	649	810	759	863	852
Washington	2,763	2,585	2,745	2,564	3,178	2,476	3,102	2,733	3,424	2,976
FIFTH CIRCUIT	14,206	11,199	14,040	10,049	17,443	16,402	23,258	19,639	22,111	17,904
Anne Arundel	9,012	6,038	8,947	5,500	11,731	11,591	17,016	14,713	15,537	11,727
Carroll	2,013	1,919	1,983	1,873	2,332	1,871	2,529	1,931	2,903	2,371
Howard	3,181	3,242	3,110	2,676	3,380	2,940	3,713	2,995	3,671	3,806
SIXTH CIRCUIT	16,976	13,706	19,188	14,469	23,251	13,481	23,634	12,969	30,548	20,677
Frederick	2,573	2,173	2,397	1,884	2,756	2,673	3,195	2,196	3,230	2,287
Montgomery	14,403	11,533	16,791	12,585	20,495	10,808	20,439	10,773	27,318	18,390
SEVENTH CIRCUIT	27,374	24,023	28,314	23,734	29,546	23,954	33,086	27,056	34,226	29,868
Calvert	959	916	943	1,013	1,123	951	1,277	1,209	1,411	1,338
Charles	3,063	2,660	2,953	2,536	2,892	2,231	3,200	2,568	3,684	3,364
Prince George's	21,451	18,758	22,324	18,561	23,629	19,173	26,007	21,104	26,457	22,877
St. Mary's	1,901	1,689	2,094	1,624	1,902	1,599	2,602	2,175	2,674	2,289
EIGHTH CIRCUIT	23,494	20,154	23,067	19,391	25,240	20,702	22,756	20,026	23,733	21,926
Baltimore City	23,494	20,154	23,067	19,391	25,240	20,702	22,756	20,026	23,733	21,926
STATE	112,648	97,772	116,099	94,988	128,893	102,193	137,077	109,119	149,229	124,829

NOTE: A civil case is reopened statistically at the time a pleading is filed (i.e. a Motion for Modification of Decree is filed in a divorce case after the final decree has been issued). In a few jurisdictions, a civil case is not reopened statistically until the time a hearing is held on a case with post-judgment activity.

TABLE CC-18
CIVIL CASES FILED, TERMINATED, AND PENDING
IN THE CIRCUIT COURTS

JULY 1, 1991—JUNE 30, 1992
FISCAL 1992

	PENDING	Filed	Terminated	PENDING
	Beginning of Year			End of Year
FIRST CIRCUIT	3,424	6,373	5,860	3,937
Dorchester	930	1,360	1,124	1,166
Somerset	374	1,061	964	471
Wicomico	1,039	2,305	2,396	948
Worcester	1,081	1,647	1,376	1,352
SECOND CIRCUIT	3,222	6,812	6,441	3,593
Caroline	453	1,064	1,060	457
Cecil	1,555	2,677	2,373	1,859
Kent	291	1,146	1,043	394
Queen Anne's	502	901	970	433
Talbot	421	1,024	995	450
THIRD CIRCUIT	25,420	19,334	16,512	28,242
Baltimore County	20,883	15,088	12,108	23,863
Harford	4,537	4,246	4,404	4,379
FOURTH CIRCUIT	4,514	6,092	5,641	4,965
Allegany	1,761	1,805	1,813	1,753
Garrett	359	863	852	370
Washington	2,394	3,424	2,976	2,842
FIFTH CIRCUIT	24,239	22,111	17,904	28,446
Anne Arundel	17,940	15,537	11,727	21,750
Carroll	2,100	2,903	2,371	2,632
Howard	4,199	3,671	3,806	4,064
SIXTH CIRCUIT	33,238	30,548	20,677	43,109
Frederick	2,094	3,230	2,287	3,037
Montgomery	31,144	27,318	18,390	40,072
SEVENTH CIRCUIT	29,103	34,226	29,868	33,461
Calvert	882	1,411	1,338	955
Charles	2,643	3,684	3,364	2,963
Prince George's	24,002	26,457	22,877	27,582
St. Mary's	1,576	2,674	2,289	1,961
EIGHTH CIRCUIT	39,406	23,733	21,926	41,213
Baltimore City	39,406	23,733	21,926	41,213
STATE	162,566	149,229	124,829	186,966

NOTE: See note on Table CC-6.

TABLE CC-19
CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	5,860	335	5.7	279	4.8	56	1.0
Dorchester	1,124	59	5.2	53	4.7	6	0.5
Somerset	964	10	1.0	4	0.4	6	0.6
Wicomico	2,396	177	7.4	146	6.1	31	1.3
Worcester	1,376	89	6.5	76	5.5	13	0.9
SECOND CIRCUIT	6,441	757	11.8	686	10.7	71	1.1
Caroline	1,060	167	15.8	161	15.2	6	0.6
Cecil	2,373	393	16.6	367	15.5	26	1.1
Kent	1,043	21	2.0	12	1.2	9	0.9
Queen Anne's	970	116	12.0	101	10.4	15	1.5
Talbot	995	60	6.0	45	4.5	15	1.5
THIRD CIRCUIT	16,512	883	5.3	645	3.9	238	1.4
Baltimore County	12,108	744	6.1	530	4.4	214	1.8
Harford	4,404	139	3.2	115	2.6	24	0.5
FOURTH CIRCUIT	5,641	301	5.3	258	4.6	43	0.8
Allegany	1,813	87	4.8	67	3.7	20	1.1
Garrett	852	111	13.0	108	12.7	3	0.4
Washington	2,976	103	3.5	83	2.8	20	0.7
FIFTH CIRCUIT	17,904	749	4.2	558	3.1	191	1.1
Anne Arundel	11,727	397	3.4	287	2.4	110	0.9
Carroll	2,371	71	3.0	43	1.8	28	1.2
Howard	3,806	281	7.4	228	6.0	53	1.4
SIXTH CIRCUIT	20,677	633	3.1	458	2.2	175	0.8
Frederick	2,287	104	4.5	70	3.1	34	1.5
Montgomery	18,390	529	2.9	388	2.1	141	0.8
SEVENTH CIRCUIT	29,868	2,878	9.6	2,562	8.6	316	1.1
Calvert	1,338	158	11.8	137	10.2	21	1.6
Charles	3,364	381	11.3	344	10.2	37	1.1
Prince George's	22,877	2,292	10.0	2,051	9.0	241	1.1
St. Mary's	2,289	47	2.1	30	1.3	17	0.7
EIGHTH CIRCUIT	21,926	1,743	7.9	1,374	6.3	369	1.7
Baltimore City	21,926	1,743	7.9	1,374	6.3	369	1.7
STATE	124,829	8,279	6.6	6,820	5.5	1,459	1.2

TABLE CC-20
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES TRIED
FISCAL 1988-FISCAL 1992

	1987-88	1988-89	1989-90	1990-91	1991-92
FIRST CIRCUIT	217	186	174	242	335
Dorchester	60	53	45	37	59
Somerset	8	1	15	7	10
Wicomico	106	97	77	128	177
Worcester	43	35	37	70	89
SECOND CIRCUIT	652	775	837	817	757
Caroline	182	191	201	177	167
Cecil	415	499	515	491	393
Kent	4	13	20	30	21
Queen Anne's	30	49	64	70	116
Talbot	21	23	37	49	60
THIRD CIRCUIT	790	734	952	1,036	883
Baltimore	491	555	702	805	744
Harford	299	179	250	231	139
FOURTH CIRCUIT	377	274	415	310	301
Allegany	136	96	206	105	87
Garrett	78	94	105	114	111
Washington	163	84	104	91	103
FIFTH CIRCUIT	833	624	765	621	749
Anne Arundel	429	399	431	418	397
Carroll	84	37	57	21	71
Howard	320	188	277	182	281
SIXTH CIRCUIT	991	854	821	705	633
Frederick	223	125	132	101	104
Montgomery	768	729	689	604	529
SEVENTH CIRCUIT	3,633	1,528	1,817	1,708	2,878
Calvert	128	115	140	136	158
Charles	485	378	346	361	381
Prince George's	2,929	966	1,312	1,177	2,292
St. Mary's	91	69	19	34	47
EIGHTH CIRCUIT	1,386	1,021	1,110	1,680	1,743
Baltimore City	1,386	1,021	1,110	1,680	1,743
STATE	8,879	5,996	6,891	7,119	8,279

NOTE: See note on Table CC-10.

TABLE CC-21

**CIVIL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS**

**JULY 1, 1991—JUNE 30, 1992
FISCAL 1992**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	591	313	186	23.2	53.6	71.1	86.5	94.9
Somerset	553	200	136	43.4	70.7	84.6	95.8	97.8
Wicomico	1,848	229	182	35.8	60.3	75.2	94.0	98.6
Worcester	1,000	240	186	21.9	59.4	78.8	95.2	97.9
SECOND CIRCUIT								
Caroline	509	353	201	22.0	54.0	70.7	88.8	96.5
Cecil	1,338	348	162	30.1	58.0	72.6	86.1	93.7
Kent	453	171	128	47.2	72.4	84.3	95.8	98.9
Queen Anne's	711	246	197	29.4	56.3	71.7	93.0	99.0
Talbot	665	203	167	35.9	62.1	78.3	95.5	98.9
THIRD CIRCUIT								
Baltimore County	11,524	339	195	25.2	54.6	69.0	87.8	93.8
Harford	3,878	436	198	21.3	47.6	60.5	76.5	88.3
FOURTH CIRCUIT								
Allegany	1,293	389	298	11.3	34.2	51.0	85.7	97.1
Garrett	540	178	163	30.6	66.9	82.8	98.3	99.6
Washington	1,974	254	146	39.0	64.2	76.2	88.3	95.4
FIFTH CIRCUIT								
Anne Arundel	6,677	416	194	20.4	50.4	68.5	83.9	89.8
Carroll	1,785	291	207	22.4	53.9	71.3	91.0	97.1
Howard	3,211	475	268	9.8	32.8	52.4	75.5	90.2
SIXTH CIRCUIT								
Frederick	1,998	289	195	24.2	56.0	71.0	89.5	95.8
Montgomery	15,111	223	155	42.9	62.6	75.5	92.3	97.7
SEVENTH CIRCUIT								
Calvert	1,014	283	219	23.1	54.0	67.7	91.8	98.2
Charles	1,920	411	197	21.4	50.2	66.0	82.2	87.6
Prince George's	15,080	335	235	20.1	45.5	66.2	87.8	96.3
St. Mary's	1,328	302	194	22.9	53.4	70.8	86.8	95.6
EIGHTH CIRCUIT								
Baltimore City	19,937	344	235	22.5	43.4	60.7	87.4	95.8
STATE	94,938	325	204	26.1	51.1	67.5	87.7	95.1

NOTE: This table does not include reopened cases. In some counties, the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-22
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS
FISCAL 1988-FISCAL 1992

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1987-88		1988-89		1989-90		1990-91		1991-92	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	2,635	2,454	2,965	2,729	2,880	2,815	3,285	2,997	3,603	3,379
Dorchester	440	399	651	445	553	613	495	469	659	598
Somerset	238	182	390	360	391	386	597	491	588	593
Wicomico	1,161	1,119	1,243	1,193	1,319	1,266	1,382	1,302	1,255	1,233
Worcester	796	754	681	731	617	550	811	735	1,101	955
SECOND CIRCUIT	1,858	1,595	2,138	1,965	2,200	1,929	2,337	1,925	2,335	2,145
Caroline	260	280	272	272	246	224	298	244	187	207
Cecil	720	617	811	718	953	629	1,133	871	1,271	1,118
Kent	220	158	202	159	215	192	219	144	225	215
Queen Anne's	312	304	352	338	307	340	246	243	205	213
Talbot	346	236	501	478	479	544	441	423	447	392
THIRD CIRCUIT	11,046	9,200	12,330	11,302	12,192	11,609	10,465	10,609	9,801	9,503
Baltimore	8,719	7,301	9,782	9,049	9,739	9,534	7,955	8,501	7,200	7,212
Harford	2,327	1,899	2,548	2,253	2,453	2,075	2,510	2,108	2,601	2,291
FOURTH CIRCUIT	1,585	1,574	1,887	1,599	2,195	1,907	1,953	1,884	2,124	1,969
Allegany	369	444	386	322	420	435	494	398	442	433
Garrett	84	75	146	121	199	162	137	174	153	142
Washington	1,132	1,055	1,355	1,156	1,576	1,310	1,322	1,312	1,529	1,394
FIFTH CIRCUIT	7,214	5,985	8,489	7,000	9,603	8,729	11,194	9,528	12,995	11,791
Anne Arundel	3,669	2,798	4,427	3,280	4,889	4,310	6,308	5,122	7,626	6,538
Carroll	1,426	1,231	1,583	1,495	1,665	1,510	1,900	1,643	2,059	1,802
Howard	2,119	1,956	2,479	2,225	3,049	2,909	2,986	2,763	3,310	3,451
SIXTH CIRCUIT	8,020	7,277	8,576	8,391	7,075	5,494	6,336	5,053	7,717	5,401
Frederick	900	788	1,373	1,064	1,508	1,287	1,479	1,329	1,365	1,232
Montgomery	7,120	6,489	7,203	7,327	5,567	4,207	4,857	3,724	6,352	4,169
SEVENTH CIRCUIT	9,806	9,301	10,593	9,385	11,584	10,998	10,881	10,550	12,467	10,823
Calvert	422	368	577	481	1,494	986	1,186	1,491	1,034	971
Charles	954	885	1,187	962	1,256	1,055	1,118	1,107	1,310	1,104
Prince George's	7,314	7,029	7,574	6,780	7,887	7,912	7,640	7,068	9,005	7,864
St. Mary's	1,116	1,019	1,255	1,162	947	1,045	937	884	1,118	884
EIGHTH CIRCUIT	15,759	14,653	14,352	10,583	12,699	12,757	23,000	21,637	23,020	23,447
Baltimore City	15,759	14,653	14,352	10,583	12,699	12,757	23,000	21,637	23,020	23,447
STATE	57,923	52,039	61,330	52,954	60,428	56,238	69,451	64,183	74,062	68,458

TABLE CC-23
CRIMINAL CASES FILED, TERMINATED, AND PENDING
IN THE CIRCUIT COURTS

JULY 1, 1991—JUNE 30, 1992
FISCAL 1992

	PENDING	Filed	Terminated	PENDING
	Beginning of Year			End of Year
FIRST CIRCUIT	1,413	3,603	3,379	1,637
Dorchester	294	659	598	355
Somerset	286	588	593	281
Wicomico	351	1,255	1,233	373
Worcester	482	1,101	955	628
SECOND CIRCUIT	1,563	2,335	2,145	1,753
Caroline	131	187	207	111
Cecil	1,009	1,271	1,118	1,162
Kent	148	225	215	158
Queen Anne's	101	205	213	93
Talbot	174	447	392	229
THIRD CIRCUIT	7,675	9,801	9,503	7,973
Baltimore County	5,994	7,200	7,212	5,982
Harford	1,681	2,601	2,291	1,991
FOURTH CIRCUIT	1,240	2,124	1,969	1,395
Allegany	240	442	433	249
Garrett	33	153	142	44
Washington	967	1,529	1,394	1,102
FIFTH CIRCUIT	7,283	12,995	11,791	8,487
Anne Arundel	4,572	7,626	6,538	5,660
Carroll	1,159	2,059	1,802	1,416
Howard	1,552	3,310	3,451	1,411
SIXTH CIRCUIT	8,092	7,717	5,401	10,408
Frederick	945	1,365	1,232	1,078
Montgomery	7,147	6,352	4,169	9,330
SEVENTH CIRCUIT	6,870	12,467	10,823	8,514
Calvert	348	1,034	971	411
Charles	1,048	1,310	1,104	1,254
Prince George's	4,953	9,005	7,864	6,094
St. Mary's	521	1,118	884	755
EIGHTH CIRCUIT	27,738	23,020	23,447	27,311
Baltimore City	27,738	23,020	23,447	27,311
STATE	61,874	74,062	68,458	67,478

Note: See note on Table CC-6.

TABLE CC-24
CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	3,379	1,041	30.8	875	25.9	166	4.9
Dorchester	598	175	29.3	123	20.6	52	8.7
Somerset	593	103	17.4	75	12.6	28	4.7
Wicomico	1,233	223	18.1	156	12.7	67	5.4
Worcester	955	540	56.5	521	54.6	19	2.0
SECOND CIRCUIT	2,145	298	13.9	182	8.5	116	5.4
Caroline	207	26	12.6	8	3.9	18	8.7
Cecil	1,118	63	5.6	16	1.4	47	4.2
Kent	215	0	0.0	0	0.0	0	0.0
Queen Anne's	213	22	10.3	8	3.8	14	6.6
Talbot	392	187	47.7	150	38.3	37	9.4
THIRD CIRCUIT	9,503	529	5.6	295	3.1	234	2.5
Baltimore County	7,212	444	6.2	266	3.7	178	2.5
Harford	2,291	85	3.7	29	1.3	56	2.4
FOURTH CIRCUIT	1,969	147	7.5	59	3.0	88	4.5
Allegany	433	33	7.6	8	1.8	25	5.8
Garrett	142	29	20.4	11	7.7	18	12.7
Washington	1,394	85	6.1	40	2.9	45	3.2
FIFTH CIRCUIT	11,791	1,934	16.4	1,763	15.0	171	1.5
Anne Arundel	6,538	1,481	22.7	1,362	20.8	119	1.8
Carroll	1,802	107	5.9	90	5.0	17	0.9
Howard	3,451	346	10.0	311	9.0	35	1.0
SIXTH CIRCUIT	5,401	344	6.4	114	2.1	230	4.3
Frederick	1,232	47	3.8	15	1.2	32	2.6
Montgomery	4,169	297	7.1	99	2.4	198	4.7
SEVENTH CIRCUIT	10,823	779	7.2	413	3.8	366	3.4
Calvert	971	47	4.8	9	0.9	38	3.9
Charles	1,104	75	6.8	12	1.1	63	5.7
Prince George's	7,864	279	3.5	23	0.3	256	3.3
St. Mary's	884	378	42.8	369	41.7	9	1.0
EIGHTH CIRCUIT	23,447	1,052	4.5	702	3.0	350	1.5
Baltimore City	23,447	1,052	4.5	702	3.0	350	1.5
STATE	68,458	6,124	8.9	4,403	6.4	1,721	2.5

NOTE: See note on Table CC-10.

TABLE CC-25
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES TRIED
FISCAL 1988-FISCAL 1992

	1987-88	1988-89	1989-90	1990-91	1991-92
FIRST CIRCUIT	689	885	729	800	1,041
Dorchester	115	195	140	126	175
Somerset	42	137	90	84	103
Wicomico	206	166	203	176	223
Worcester	326	387	296	414	540
SECOND CIRCUIT	224	524	502	419	298
Caroline	40	35	17	46	26
Cecil	112	107	142	100	63
Kent	3	8	3	0	0
Queen Anne's	22	25	24	33	22
Talbot	47	349	316	240	187
THIRD CIRCUIT	413	353	801	1,089	529
Baltimore	313	260	735	1,015	444
Harford	100	93	66	74	85
FOURTH CIRCUIT	183	166	164	129	147
Allegany	47	43	45	24	33
Garrett	4	17	24	12	29
Washington	132	106	95	93	85
FIFTH CIRCUIT	662	1,515	2,313	1,577	1,934
Anne Arundel	450	855	1,457	899	1,481
Carroll	119	125	107	66	107
Howard	93	535	749	612	346
SIXTH CIRCUIT	647	510	383	323	344
Frederick	41	55	41	41	47
Montgomery	606	455	342	282	297
SEVENTH CIRCUIT	335	458	989	853	779
Calvert	29	30	32	55	47
Charles	35	63	66	69	75
Prince George's	257	358	352	313	279
St. Mary's	14	7	539	416	378
EIGHTH CIRCUIT	1,167	942	1,743	688	1,052
Baltimore City	1,167	942	1,743	688	1,052
STATE	4,320	5,353	7,624	5,878	6,124

NOTE: See note on Table CC-10.

TABLE CC-26

**CRIMINAL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS**

**JULY 1, 1991—JUNE 30, 1992
FISCAL 1992**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	161 Days	361 Days
FIRST CIRCUIT								
Dorchester	421	201	129	5.9	22.8	51.3	76.5	93.8
Somerset	586	101	98	14.8	49.7	81.7	93.3	99.3
Wicomico	914	88	85	30.2	63.1	83.4	94.9	99.2
Worcester	871	117	111	9.6	44.9	65.0	87.0	98.4
SECOND CIRCUIT								
Caroline	156	142	137	6.4	19.9	44.2	76.3	98.1
Cecil	997	181	166	7.8	10.8	21.7	57.0	96.3
Kent	161	169	168	4.3	9.3	16.1	60.9	99.4
Queen Anne's	139	311	123	10.1	28.8	56.1	84.2	98.6
Talbot	264	115	115	14.8	31.1	54.2	87.9	100.0
THIRD CIRCUIT								
Baltimore County	4,648	136	83	39.6	58.6	72.3	86.8	96.5
Harford	1,398	212	141	24.0	32.9	43.4	56.6	84.9
FOURTH CIRCUIT								
Allegany	369	149	142	18.2	29.3	44.2	66.7	97.6
Garrett	99	102	102	21.2	47.5	68.7	90.9	100.0
Washington	1,120	206	148	5.9	17.6	35.1	72.1	93.8
FIFTH CIRCUIT								
Anne Arundel	3,176	177	138	15.4	28.0	43.0	67.7	93.3
Carroll	1,452	121	120	14.6	46.4	62.2	81.8	99.7
Howard	2,544	167	127	7.4	33.3	52.7	75.3	93.5
SIXTH CIRCUIT								
Frederick	1,194	182	150	8.4	25.7	39.1	60.1	93.1
Montgomery	2,801	169	113	30.6	43.9	54.6	70.2	90.1
SEVENTH CIRCUIT								
Calvert	638	159	131	13.2	30.1	49.4	71.5	92.8
Charles	955	170	158	5.9	14.6	30.5	66.8	97.3
Prince George's	6,391	143	120	17.1	35.9	54.4	74.5	94.4
St. Mary's	776	151	132	13.0	25.9	50.8	76.7	95.7
EIGHTH CIRCUIT								
Baltimore City	14,450	143	95	36.8	53.2	64.5	78.2	92.5
STATE	46,520	151	112	24.6	42.2	57.1	75.8	93.9

NOTE: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-27
FIVE-YEAR COMPARATIVE TABLE
JUVENILE CASES
FILINGS AND TERMINATIONS
FISCAL 1988-FISCAL 1992

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1987-88		1988-89		1989-90		1990-91		1991-92	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	576	572	757	708	792	719	763	727	906	920
Dorchester	96	98	151	122	190	189	131	113	199	194
Somerset	87	84	58	48	107	84	84	78	135	139
Wicomico	193	187	302	303	276	256	344	327	294	333
Worcester	210	203	246	235	219	190	204	209	278	254
SECOND CIRCUIT	708	684	924	901	1,265	1,174	1,056	1,029	1,295	1,280
Caroline	88	101	102	98	96	80	114	123	74	77
Cecil	302	270	366	379	628	541	474	457	685	664
Kent	47	42	42	39	65	51	55	65	66	61
Queen Anne's	114	117	203	183	213	230	233	215	236	235
Talbot	157	154	211	202	263	272	180	169	234	243
THIRD CIRCUIT	4,246	4,361	4,330	4,170	4,642	4,232	4,160	4,003	4,357	3,972
Baltimore	3,425	3,372	3,478	3,341	3,862	3,524	3,368	3,261	3,448	3,045
Harford	821	989	852	829	780	708	792	742	909	927
FOURTH CIRCUIT	1,051	1,034	1,286	1,192	1,151	1,057	1,189	1,112	1,134	1,149
Allegany	295	286	313	270	275	271	281	241	329	335
Garrett	146	155	151	156	157	135	143	149	115	117
Washington	610	593	822	766	719	651	765	722	690	697
FIFTH CIRCUIT	4,191	4,063	4,279	4,024	4,629	4,168	4,543	4,332	4,968	4,534
Anne Arundel	3,036	2,936	3,191	2,881	3,340	3,055	3,309	3,302	3,635	3,482
Carroll	610	661	681	591	566	574	549	464	619	480
Howard	545	466	407	552	723	539	685	566	714	572
SIXTH CIRCUIT	2,976	2,551	3,096	2,507	3,590	3,582	4,581	4,666	5,706	5,582
Frederick	332	323	389	324	523	477	607	570	694	676
Montgomery*	2,644	2,228	2,707	2,183	3,067	3,105	3,974	4,096	5,012	4,906
SEVENTH CIRCUIT	7,897	7,418	8,025	7,902	8,677	8,782	6,761	5,550	6,084	5,225
Calvert	314	316	273	285	296	269	405	376	459	495
Charles	716	712	685	639	593	598	616	600	545	580
Prince George's	6,549	6,156	6,635	6,587	7,415	7,633	5,390	4,270	4,620	3,836
St. Mary's	318	234	432	391	373	282	350	304	460	314
EIGHTH CIRCUIT	13,805	12,909	13,639	12,828	14,919	12,356	13,637	11,200	13,922	12,289
Baltimore City	13,805	12,909	13,639	12,828	14,919	12,356	13,637	11,200	13,922	12,289
STATE	35,450	33,592	36,336	34,232	39,665	36,070	36,690	32,619	38,372	34,951

*Includes juvenile cases processed at the District Court level.

TABLE CC-28
JUVENILE CASES FILED, TERMINATED, AND PENDING
IN THE CIRCUIT COURTS

JULY 1, 1991—JUNE 30, 1992
FISCAL 1992

	PENDING	Filed	Terminated	PENDING
	Beginning of Year			End of Year
FIRST CIRCUIT	174	906	920	160
Dorchester	67	199	194	72
Somerset	7	135	139	3
Wicomico	56	294	333	17
Worcester	44	278	254	68
SECOND CIRCUIT	201	1,295	1,280	216
Caroline	16	74	77	13
Cecil	129	685	664	150
Kent	8	66	61	13
Queen Anne's	14	236	235	15
Talbot	34	234	243	25
THIRD CIRCUIT	930	4,357	3,972	1,315
Baltimore County	812	3,448	3,045	1,215
Harford	118	909	927	100
FOURTH CIRCUIT	200	1,134	1,149	185
Allegany	58	329	335	52
Garrett	19	115	117	17
Washington	123	690	697	116
FIFTH CIRCUIT	960	4,968	4,534	1,394
Anne Arundel	571	3,635	3,482	724
Carroll	186	619	480	325
Howard	203	714	572	345
SIXTH CIRCUIT	1,760	5,706	5,582	1,884
Frederick	138	694	676	156
Montgomery	1,622	5,012	4,906	1,728
SEVENTH CIRCUIT	2,617	6,084	5,225	3,476
Calvert	110	459	495	74
Charles	136	545	580	101
Prince George's	2,140	4,620	3,836	2,924
St. Mary's	231	460	314	377
EIGHTH CIRCUIT	7,982	13,922	12,289	9,615
Baltimore City	7,982	13,922	12,289	9,615
STATE	14,824	38,372	34,951	18,245

NOTE: See note on Table CC-6.

TABLE CC-29

**JUVENILE—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS**

**JULY 1, 1991—JUNE 30, 1992
FISCAL 1992**

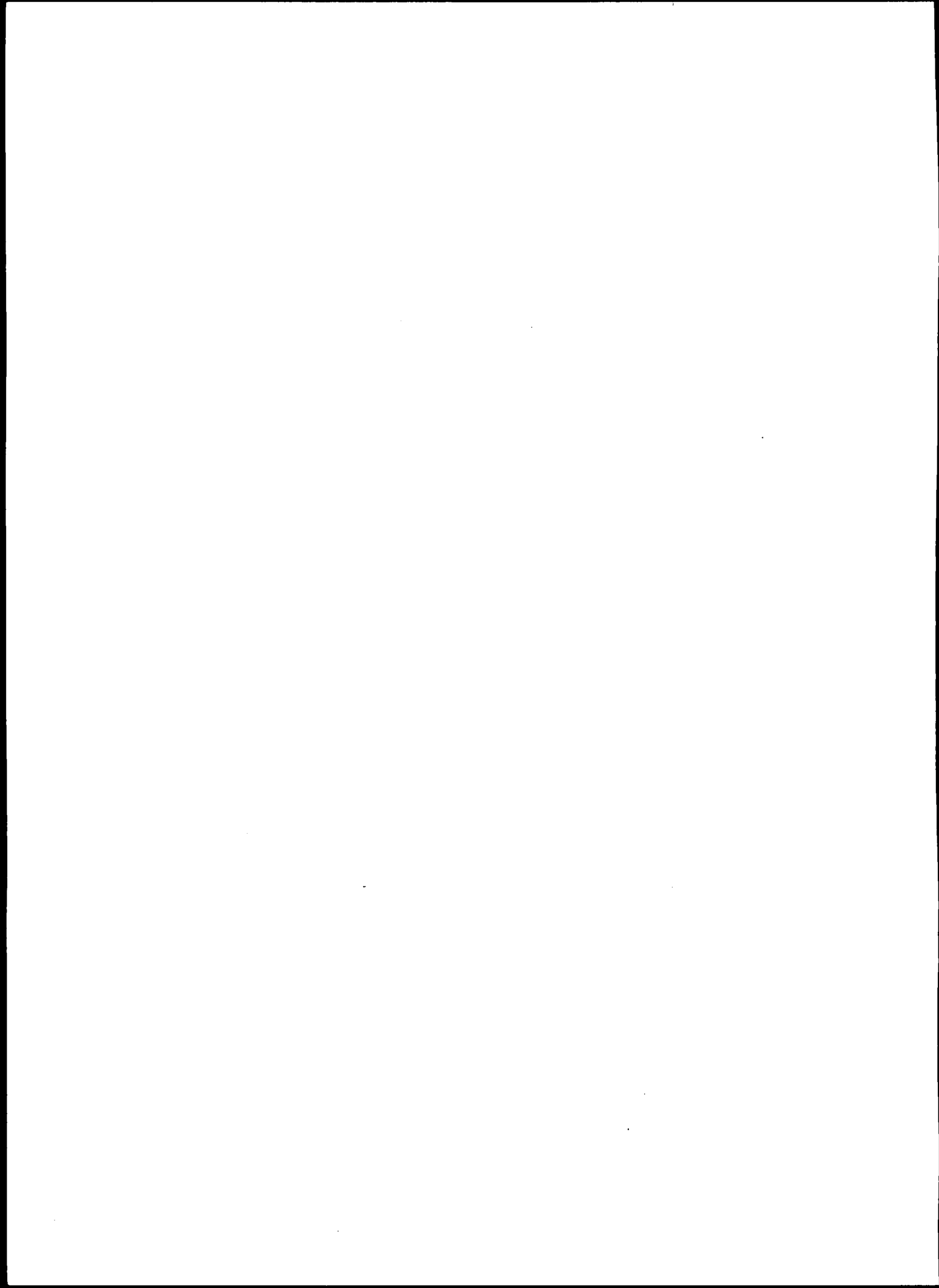
		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:					
	Number of Cases	All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	157	75	53	28.0	58.6	91.7	97.5	97.5	97.5
Somerset	72	397	10	90.3	93.1	93.1	93.1	93.1	93.1
Wicomico	248	67	46	34.7	77.0	95.2	97.2	98.8	99.2
Worcester	186	53	41	35.5	87.1	96.8	98.4	98.9	98.9
SECOND CIRCUIT									
Caroline	31	34	34	51.6	80.6	96.8	100.0	100.0	100.0
Cecil	279	104	66	20.4	56.3	78.9	84.9	90.7	93.9
Kent	34	60	60	23.5	61.8	91.2	100.0	100.0	100.0
Queen Anne's	68	52	52	29.4	64.7	97.1	98.5	100.0	100.0
Talbot	120	69	61	23.3	60.8	88.3	93.3	97.5	99.2
THIRD CIRCUIT									
Baltimore County	2,393	92	56	25.7	50.3	88.5	93.3	94.7	95.5
Harford	576	73	62	20.1	47.4	90.8	95.5	97.2	98.4
FOURTH CIRCUIT									
Allegany	318	81	72	19.8	54.1	81.1	89.9	96.9	99.4
Garrett	76	47	42	34.2	82.9	94.7	98.7	98.7	98.7
Washington	295	58	53	27.5	68.8	92.9	98.0	99.0	99.0
FIFTH CIRCUIT									
Anne Arundel	1,397	118	83	11.0	30.8	79.5	91.5	96.3	98.1
Carroll	297	57	53	24.9	69.0	94.3	96.3	99.0	99.7
Howard	458	89	67	11.6	53.5	86.9	92.1	95.2	96.3
SIXTH CIRCUIT									
Frederick	485	96	81	16.9	40.4	76.5	89.7	95.3	97.7
Montgomery	2,174	137	101	13.9	25.1	58.4	76.9	90.4	93.7
SEVENTH CIRCUIT									
Calvert	322	96	65	23.0	50.6	83.2	89.4	91.6	95.0
Charles	316	98	78	9.2	28.8	88.6	96.5	98.1	98.4
Prince George's	2,424	110	87	7.8	30.1	74.9	88.0	93.9	96.2
St. Mary's	252	96	68	21.0	47.6	82.1	88.9	92.5	93.7
EIGHTH CIRCUIT									
Baltimore City	10,711	168	108	11.8	27.9	54.8	70.2	87.5	92.6
STATE	23,689	133	89	15.0	35.7	68.4	80.7	91.4	94.6

NOTE: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

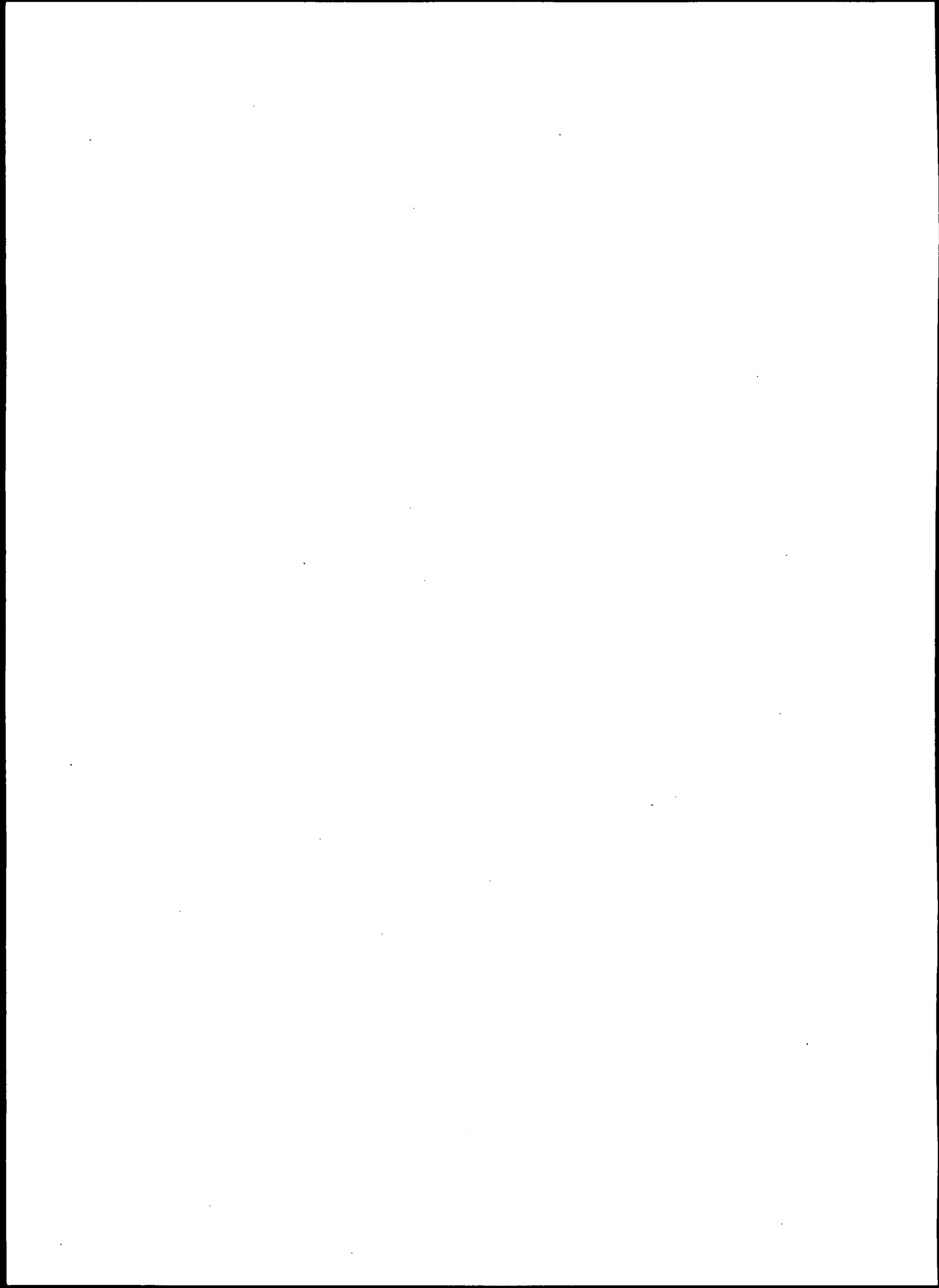
TABLE CC-30
DELINQUENCY TERMINATIONS BY TYPE OF DISPOSITION
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Jurisdiction Waived	Dismissed	Stet	Probation	Social Services	Juvenile Services	Hospital Facility	Institutional	Transferred in	Transferred Out	Continued	Other	TOTAL
FIRST CIRCUIT													
Dorchester	34	19	0	28	2	11	0	1	0	0	0	19	114
Somerset	17	5	0	13	5	16	0	0	0	0	2	11	69
Wicomico	26	47	0	87	3	38	0	16	5	3	0	55	280
Worcester	33	28	1	70	7	20	1	1	2	1	11	13	188
SECOND CIRCUIT													
Caroline	1	2	1	11	2	10	0	0	0	0	16	3	46
Cecil	14	74	8	97	6	27	5	20	1	2	0	4	258
Kent	6	17	0	9	0	6	0	0	0	1	0	3	42
Queen Anne's	1	16	0	37	0	12	0	0	4	5	0	97	172
Talbot	1	30	0	72	2	8	0	1	1	3	4	33	155
THIRD CIRCUIT													
Baltimore	101	303	711	753	20	72	1	102	55	27	19	298	2,462
Harford	25	85	1	266	58	8	2	36	13	17	8	92	611
FOURTH CIRCUIT													
Allegany	2	11	7	124	1	17	0	0	0	3	0	9	174
Garrett	1	2	0	24	7	14	4	5	0	0	0	2	59
Washington	31	28	0	169	16	76	10	25	6	5	1	50	417
FIFTH CIRCUIT													
Anne Arundel	39	354	74	888	44	148	6	89	43	71	413	349	2,518
Carroll	1	43	77	122	4	29	1	2	16	7	0	38	340
Howard	13	84	172	132	6	19	3	2	8	4	2	22	467
SIXTH CIRCUIT													
Frederick	12	148	0	171	12	38	0	0	5	9	0	122	517
Montgomery*	80	1,058	23	660	329	276	2	92	0	29	106	1,047	3,702
SEVENTH CIRCUIT													
Calvert	0	84	27	133	2	19	0	0	3	4	0	71	343
Charles	2	52	16	194	4	39	0	33	3	7	0	65	415
Prince George's	65	584	783	1,077	5	351	0	224	0	9	0	309	3,407
St. Mary's	6	34	56	39	3	17	0	2	9	4	0	72	242
EIGHTH CIRCUIT													
Baltimore City	404	5,559	0	1,561	4	0	0	1	0	0	0	1,620	9,149
STATE	915	8,667	1,957	6,737	542	1,271	35	652	174	211	582	4,404	26,147

*Juvenile cases for Montgomery County are handled by the District Court.



THE DISTRICT COURT



The District Court

Introduction

The District Court of Maryland was created as a result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969. Operation of the District Court began on July 5, 1971, replacing a miscellaneous system of trial magistrates, people's, and municipal courts with a fully State-funded court of record possessing State-wide jurisdiction.

District Court judges are appointed by the Governor and confirmed by the Senate. They are not required to stand for election. The first Chief Judge was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

There were 97 District Court judgeships, including the Chief Judge, as of July 1, 1991. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. The Chief Judge of the District Court also appoints a Chief Clerk of the Court. Additionally, Administrative Clerks for each district, as well as Commissioners, who perform such duties as issuing arrest warrants and setting bail or collateral, also are appointed.

The District Court has jurisdiction over criminal, including

motor vehicle, and civil areas. In Montgomery County, it also has jurisdiction over juvenile causes. The exclusive jurisdiction of the District Court generally includes all landlord and tenant cases; replevin actions; motor vehicle violations; criminal cases, if the penalty is less than three years imprisonment or does not exceed a fine of \$2,500, or both; and civil cases involving amounts not exceeding \$2,500. The District Court shares concurrent jurisdiction with the circuit courts in matters which involve a claim for an amount between \$2,500 and \$20,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person who is entitled to, and elects to request, a jury trial must proceed to the circuit court.

Motor Vehicle

During Fiscal Year 1992, there were 1,034,206 motor vehicle cases filed in the District Court. Compared to the 1,160,473 filings in Fiscal Year 1991, this is a decrease of 10.9 percent. The decrease in filings can be attributed to decreases recorded in four of the five largest jurisdictions. The greatest decrease, 25.5 percent, was reported by Montgomery County. There were 177,993 motor vehicle filings reported by Montgomery County in Fiscal Year 1991, compared to 132,671 in Fiscal Year 1992. Prince George's County followed with a 22.6 percent decrease (45,728 cases) from 201,950 in

Fiscal Year 1991 to 156,222 in Fiscal Year 1992. Baltimore City reported a decrease of 11.6 percent from 108,561 filings during the previous year to the present level of 95,922. An 11.1 percent decrease (19,941 cases) was reported by Baltimore County from 179,602 in Fiscal Year 1991 to 159,661 in Fiscal Year 1992. Anne Arundel County was the only major jurisdiction in which an increase in filings occurred. There were 89,835 motor vehicle filings recorded in Fiscal Year 1991 and, compared to 95,164 in Fiscal Year 1992, this was an increase of 5.9 percent.

Following the decrease in motor vehicle filings, there also was a decrease reported in the number of motor vehicle cases processed; however, the decrease was not as significant. There were 1,058,060 motor vehicle cases processed during Fiscal Year 1991 compared to 1,031,252 in Fiscal Year 1992, a decrease of 26,808 cases or 2.5 percent. Included in the 1,031,252 processed motor vehicle cases were 349,421 tried cases, 596,478 paid cases, and 85,353 "other" dispositions which included jury trial prayers, nolle prosequi, and stet cases. The number of cases that were tried increased over the previous year from 332,152 to the current level of 349,421, an increase of 17,269 or 5.2 percent. "Other" dispositions also increased by 1,895 or 2.3 percent. The only category in which a decrease occurred was in the number of cases paid. There were 642,450 cases paid in Fiscal Year 1991 compared to 596,478 in Fiscal

Year 1992, a decrease of 45,972 or 7.2 percent. The five major jurisdictions processed a combined total of 655,738 motor vehicle cases, representing nearly 64 percent of the total number of cases processed (Table DC-4).

Criminal

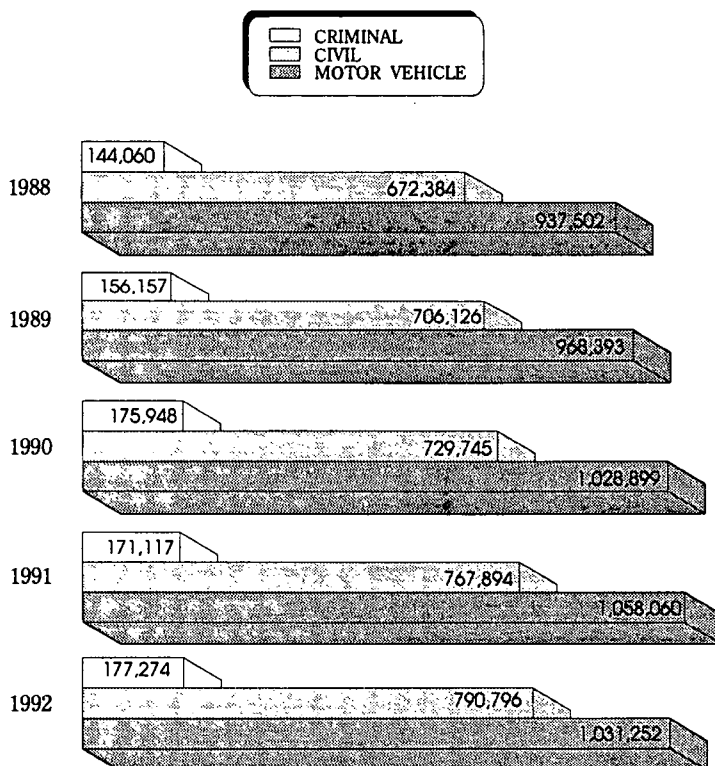
Criminal filings increased by 1.3 percent, from 169,520 in Fiscal Year 1991 to the Fiscal Year 1992 level of 171,677 filings. Increases were reported by only two of the five major jurisdictions. Baltimore City reported the greatest increase of 4.7 percent, while Anne Arundel County reported an increase of 6.6 percent. Of the three remaining largest jurisdictions, the greatest decrease (5.4 percent) was reported by Prince George's County, from

25,149 in Fiscal Year 1991 to 23,781 in Fiscal Year 1992. Baltimore County followed with a slight decrease of 0.7 percent from 18,648 during the previous year to the Fiscal Year 1992 level of 18,525. The decrease in Montgomery County also was relatively insignificant at 14 cases or 0.1 percent. Although increases were not reported in all of the five major jurisdictions, they contributed a combined total of 127,322 filings, which accounted for 74.2 percent of the criminal caseload.

The number of criminal cases processed during Fiscal Year 1992 also increased over the Fiscal Year 1991 level from 171,117 to 177,274, an increase of 3.6 percent. More than 73 percent of the criminal cases processed during the fiscal year were reported by

the five major jurisdictions. Baltimore City reported 58,520 criminal dispositions, an increase of 8.8 percent over the 53,768 dispositions reported in Fiscal Year 1991. Likewise, Montgomery County reported an increase of 8.2 percent, as did Anne Arundel County, which increased by 3.9 percent. Montgomery County reported 15,410 criminal dispositions, while Anne Arundel County reported 13,689 dispositions. Prince George's and Baltimore Counties both reported decreases of 9.7 percent and 1.1 percent, respectively. There were 24,939 criminal cases processed by Prince George's County during Fiscal Year 1991 compared to the Fiscal Year 1992 level of 22,524 dispositions. Baltimore County reported 19,680 dispositions during the previous year compared to 19,463 in Fiscal Year 1992 (Table DC-4).

TABLE DC-1
DISTRICT COURT - CASELOAD BY FISCAL YEAR



* The total caseload for Fiscal Year 1992 is 1,999,322.

Civil

There was an increase of approximately three percent in civil filings in Fiscal Year 1992. There were 767,894 filings reported during Fiscal Year 1991 compared to the Fiscal Year 1992 level of 790,796 filings. Baltimore City contributed the greatest number of filings with 247,243, an increase of 1.1 percent over the previous fiscal year. Prince George's County followed with 177,858 filings compared to 169,956 in Fiscal Year 1991, an increase of 4.6 percent. Montgomery County, which reported an increase of 5.8 percent, contributed 80,878 filings, while Anne Arundel County reported 43,454 filings, an increase of 10.2 percent over the previous year. Baltimore County, while contributing 136,025 civil filings, was the only major jurisdiction in

which a decrease occurred (0.4 percent). Approximately 6.4 percent of the civil cases filed in the District Court were contested. That figure is consistent with the number of contested cases over the last several years.

Landlord and tenant cases comprised over 69 percent of the total civil caseload. There were 552,223 landlord and tenant cases filed during Fiscal Year 1992, an increase of 1.8 percent over the 542,238 filings reported in Fiscal Year 1991. Of the cases filed, 32,312 or 5.9 percent were contested. There were 203,040 contract and tort cases filed, accounting for 25.7 percent of the civil caseload. Approximately nine percent (18,303) of the contract and tort cases were contested. The remaining 35,533 cases (4.5 percent) were comprised of "other" civil complaints which included attachments before judgment, confessed judgments, and replevin actions (Table DC-4).

Additionally, the District Court reported 21,994 special proceedings. Included in that figure were 2,983 emergency hearings, 6,164 domestic abuse cases, and 201 child abuse cases (Table DC-12).

Trends

The District Court of Maryland recorded its first decrease in overall filings in more than seven years. There were 1,996,679 total filings reported during Fiscal Year 1992 compared to the Fiscal Year 1991 level of 2,097,887 filings, a decrease of approximately 4.8 percent. Contributing to the overall decrease was the 10.9 percent decrease realized in motor vehicle filings, representing the first decrease in that category in over seven years as well. Crimi-

nal filings increased once again after decreasing slightly during the previous year, while civil filings continued an upward trend.

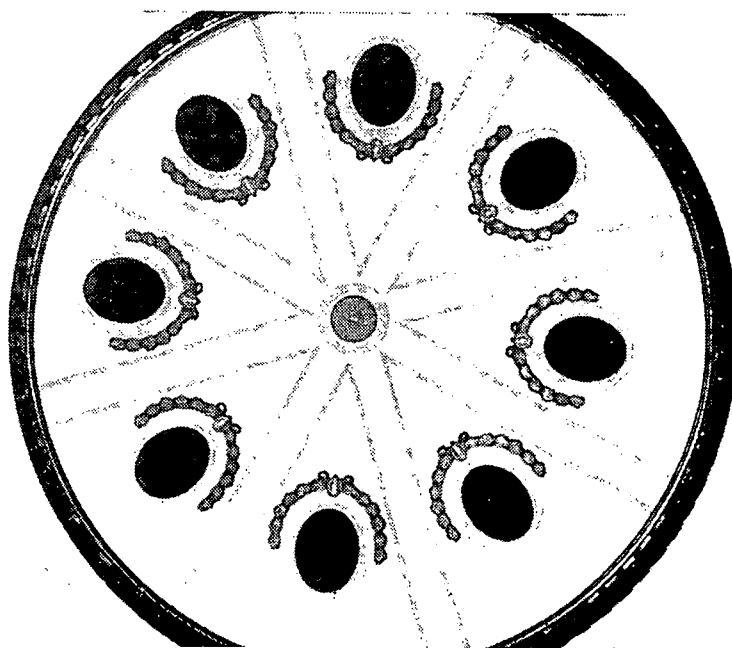
A decrease of more than 126,000 motor vehicle filings was reported by the District Court in Fiscal Year 1992. Also, approximately 27,000 fewer motor vehicle cases were processed. Anne Arundel County and Baltimore City were the only major jurisdictions to report increases, continuing a trend for Anne Arundel County which began in Fiscal Year 1988.

Of the 1,034,206 motor vehicle cases filed during Fiscal Year 1992, 639,640 or 62 percent were in the five major jurisdictions. Of these, 349,421 were contested. The five major counties accounted for 256,608 or 72 percent of these. Baltimore City had the highest rate of contested cases (49.6 percent), followed by Baltimore County (47.3 percent), Anne Arundel County (38 percent), Montgomery County (34 percent), and Prince George's County (33.3 percent). Baltimore County con-

tinued to process the greatest number of cases with 164,393. Prince George's County followed closely with 160,789; Montgomery County reported 139,336 cases, Baltimore City and Anne Arundel County processed 96,262 cases and 94,958 cases, respectively (Table DC-4).

As a result of fewer arrests for the third consecutive year, there was a decrease in overall Driving While Intoxicated filings from 39,707 in Fiscal Year 1991 to 36,823 in Fiscal Year 1992, a decrease of 7.3 percent. Anne Arundel County was the only major jurisdiction to report an increase of 1,441 cases, or 23.4 percent. The largest decrease was reported by Montgomery County at 24.2 percent, followed by Prince George's County with a decrease of 17.2 percent (Table DC-10).

After decreasing less than one percent in Fiscal Year 1991, criminal filings increased in Fiscal Year 1992 by 1.3 percent. The five major jurisdictions contributed nearly 75 percent of the



Interior dome - Garrett County Courthouse Rotunda

criminal caseload. Baltimore City accounted for 33.3 percent of all criminal cases filed. The State-wide total went from 169,520 in Fiscal Year 1991 to 171,677 in Fiscal Year 1992. Increases of 4.7 percent in Baltimore City and 6.6 percent in Anne Arundel County, and decreases in the remaining three largest jurisdictions, accounted for a slight overall increase. Prince George's County reported the largest decrease at 5.4 percent.

Criminal dispositions also increased from 171,117 in Fiscal Year 1991 to the Fiscal Year 1992 level of 177,274 or 3.6 percent, after decreasing the previous fiscal year for the first time since 1984. While Prince George's and Baltimore Counties reported their second consecutive decreases, the remaining three largest jurisdictions all reported increases, contributing to the net overall increase in criminal dispositions. Baltimore City processed the

greatest number of criminal cases, 58,520 or 33 percent. Collectively, the five major jurisdictions disposed of 129,606 criminal cases or 73.1 percent.

Civil case filings continued to increase during Fiscal Year 1992 to a record level 790,796 filings, representing an increase of approximately three percent over the Fiscal Year 1991 level. Only one of the largest jurisdictions, Baltimore County, reported a decrease during the year, while several of the smaller counties reported decreases. Baltimore City and Prince George's County continued to contribute the greatest number of civil filings with 247,243 and 177,858 filings, respectively. Nearly 70 percent of the civil caseload was comprised of landlord and tenant cases, which is a statistic consistent with past years. The five major jurisdictions accounted for 92.1 percent of all landlord and tenant cases, as well as 74.6 percent of

all contract and tort filings. From January 1992, when the law became effective increasing the District Court's jurisdiction in civil cases to \$20,000, to June 30, 1992, the Court received nearly 4,200 new case filings involving amounts exceeding \$10,000. As previously mentioned, the District Court reported an increase of approximately three percent in civil filings during the fiscal year. More than 18 percent of that increase involved claims between \$10,000 and \$20,000. Those figures tend to suggest the Court's increased jurisdiction will contribute to an already increasing caseload.

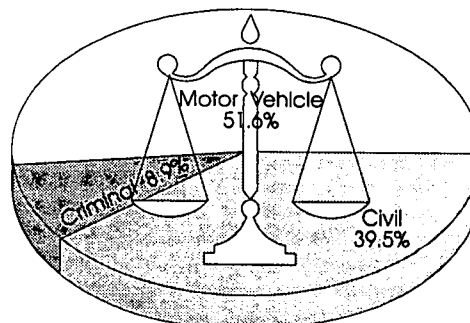
Although a decrease in motor vehicle filings resulted in an overall decrease in District Court filings for Fiscal Year 1992, the increases in civil and criminal filings continue to impact the judicial and non-judicial resources of the District Court.

DISTRICT COURT FISCAL YEAR 1992
CASELOAD BREAKDOWN

TABLE DC-2

FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE AND CRIMINAL CASES PROCESSED
AND CIVIL CASES FILED IN THE DISTRICT COURT
OF MARYLAND

FISCAL 1988-FISCAL 1992



	1987-88	1988-89	1989-90	1990-91	1991-92
DISTRICT 1					
Baltimore City	374,633	388,351	399,437	391,239	402,025
DISTRICT 2					
Dorchester	15,210	16,926	17,975	17,480	17,325
Somerset	9,296	10,490	12,738	13,133	12,261
Wicomico	32,094	33,426	35,522	37,053	37,653
Worcester	28,372	27,965	29,509	27,820	24,889
DISTRICT 3					
Caroline	8,734	8,901	8,966	8,960	8,926
Cecil	37,150	40,049	40,503	42,153	41,829
Kent	4,965	5,551	6,298	6,157	6,624
Queen Anne's	11,031	10,976	12,498	13,052	13,408
Talbot	10,974	12,218	13,297	14,697	14,644
DISTRICT 4					
Calvert	12,681	14,211	18,346	18,328	17,118
Charles	22,414	26,317	25,837	26,100	28,909
St. Mary's	15,406	15,969	17,212	18,722	18,819
DISTRICT 5					
Prince George's	297,303	310,803	335,629	358,221	361,171
DISTRICT 6					
Montgomery	230,000	225,437	237,890	254,374	235,624
DISTRICT 7					
Anne Arundel	111,372	128,460	132,458	142,402	152,101
DISTRICT 8					
Baltimore	275,020	286,069	308,796	324,420	319,881
DISTRICT 9					
Harford	53,188	52,276	55,694	56,161	56,798
DISTRICT 10					
Carroll	23,632	25,884	28,803	29,369	30,070
Howard	69,831	74,096	74,168	72,424	71,922
DISTRICT 11					
Frederick	48,925	52,339	55,634	56,514	62,222
Washington	34,771	35,880	37,102	36,386	32,672
DISTRICT 12					
Allegany	18,048	18,956	21,094	20,886	19,963
Garrett	8,896	9,126	9,186	11,020	12,468
STATE	1,753,946	1,830,676	1,934,592	1,997,071	1,999,322

TABLE DC-3
COMPARATIVE TABLE ON CASES FILED OR PROCESSED
IN THE DISTRICT COURT OF MARYLAND
FISCAL 1991-FISCAL 1992

	MOTOR VEHICLE CASES PROCESSED			CRIMINAL CASES PROCESSED			CIVIL CASES FILED		
	1990-91	1991-92	% Change	1990-91	1991-92	% Change	1990-91	1991-92	% Change
DISTRICT 1									
Baltimore City	92,805	96,262	3.7	53,768	58,520	8.8	244,666	247,243	1.1
DISTRICT 2									
Dorchester	12,086	11,685	-3.3	1,792	1,858	3.7	3,602	3,782	5.0
Somerset	10,478	9,512	-9.2	1,086	1,061	-2.3	1,569	1,688	7.6
Wicomico	24,411	24,213	-0.8	3,113	3,653	17.3	9,529	9,787	2.7
Worcester	20,869	17,024	-18.4	3,827	3,681	-3.8	3,124	4,184	33.9
DISTRICT 3									
Caroline	5,846	6,120	4.7	1,014	924	-8.9	2,100	1,882	-10.4
Cecil	35,128	34,563	-1.6	2,996	2,871	-4.2	4,029	4,395	9.1
Kent	3,916	4,326	10.5	537	529	-1.5	1,704	1,769	3.8
Queen Anne's	10,236	10,512	2.7	787	933	18.6	2,029	1,963	-3.3
Talbot	10,793	10,790	-0.02	1,138	1,240	9.0	2,766	2,614	-5.5
DISTRICT 4									
Calvert	14,782	13,221	-10.6	1,710	1,816	6.2	1,836	2,081	13.3
Charles	16,148	17,401	7.8	3,817	4,043	5.9	6,135	7,465	21.7
St. Mary's	11,144	11,283	1.2	2,118	2,603	22.9	5,460	4,933	-9.7
DISTRICT 5									
Prince George's	163,326	160,789	-1.6	24,939	22,524	-9.7	169,956	177,858	4.6
DISTRICT 6									
Montgomery	163,658	139,336	-14.9	14,237	15,410	8.2	76,479	80,878	5.8
DISTRICT 7									
Anne Arundel	89,811	94,958	5.7	13,172	13,689	3.9	39,419	43,454	10.2
DISTRICT 8									
Baltimore	168,155	164,393	-2.2	19,680	19,463	-1.1	136,585	136,025	-0.4
DISTRICT 9									
Harford	39,910	38,461	-3.6	3,619	4,531	25.2	12,632	13,806	9.3
DISTRICT 10									
Carroll	21,925	22,331	1.9	2,452	2,260	-7.8	4,992	5,479	9.8
Howard	52,261	52,533	0.5	4,408	4,213	-4.4	15,755	15,176	-3.7
DISTRICT 11									
Frederick	41,368	46,722	12.9	3,711	3,694	-0.5	11,435	11,806	3.2
Washington	24,197	20,198	-16.5	3,546	3,583	1.0	8,643	8,891	2.9
DISTRICT 12									
Allegany	15,905	14,208	-10.7	2,516	3,102	23.3	2,465	2,653	7.6
Garrett	8,902	10,411	17.0	1,134	1,073	-5.4	984	984	0.0
STATE	1,058,060	1,031,252	-2.5	171,117	177,274	3.6	767,894	790,796	3.0

TABLE DC-4
MOTOR VEHICLE, CRIMINAL, AND CIVIL CASES FILED AND PROCESSED IN THE DISTRICT COURT OF MARYLAND
JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	MOTOR VEHICLE CASES					CRIMINAL CASES		CIVIL CASES						TOTAL CASES FILED	
	Cases Filed	Cases Tried	Cases Paid	Other Disposi- tions	Total Cases Pro- cessed	Cases Filed	Cases Pro- cessed	Landlord and Tenant		Contract and Tort		Other Com- plaints Filed	Total		
								Filed	Con- tested	Filed	Con- tested		Filed		Con- tested
DISTRICT 1 Baltimore City	95,922	47,536	42,901	5,825	96,262	57,120	58,520	193,365	13,853	46,727	4,131	7,151	247,243	17,984	400,285
DISTRICT 2 Dorchester	65,327	11,157	46,667	4,510	62,434	9,319	10,253	7,152	1,445	10,076	883	2,213	19,441	2,328	94,087
Somerset	11,751	2,795	8,446	444	11,685	1,685	1,868	636	174	2,417	181	729	3,782	355	17,218
Wicomico	10,123	831	8,188	493	9,512	995	1,061	444	49	996	143	248	1,688	192	12,806
Worcester	24,930	4,064	18,325	1,824	24,213	2,995	3,653	5,165	1,099	3,938	329	684	9,787	1,428	37,712
	18,523	3,467	11,708	1,849	17,024	3,644	3,681	907	123	2,725	230	552	4,184	353	26,351
DISTRICT 3 Caroline	70,502	13,885	47,983	4,443	66,311	6,103	6,497	3,349	408	7,791	481	1,483	12,623	889	89,228
Cecil	6,297	1,478	4,325	317	6,120	951	924	435	78	1,171	62	276	1,882	140	9,130
Kent	36,999	6,124	25,892	2,547	34,563	2,728	2,871	1,534	158	2,431	185	430	4,395	343	44,122
Queen Anne's	4,639	731	3,283	312	4,326	478	529	225	48	1,292	36	252	1,769	84	6,886
Talbot	10,633	2,555	7,112	845	10,512	818	933	455	49	1,274	103	234	1,963	152	13,414
	11,934	2,997	7,371	422	10,790	1,128	1,240	700	75	1,623	95	291	2,614	170	15,676
DISTRICT 4 Calvert	42,960	9,883	25,177	6,845	41,905	8,041	8,462	5,466	367	7,191	931	1,822	14,479	1,298	65,480
Charles	13,458	4,098	7,725	1,398	13,221	1,869	1,816	298	74	1,520	195	263	2,081	269	17,408
St. Mary's	18,709	4,461	11,151	1,789	17,401	3,769	4,043	2,561	219	3,910	353	994	7,465	572	29,943
	10,793	1,324	6,301	3,658	11,283	2,403	2,603	2,607	74	1,761	383	565	4,933	457	18,129
DISTRICT 5 Prince George's	156,222	51,958	92,226	16,605	160,789	23,781	22,524	135,633	8,941	36,195	1,769	6,030	177,858	10,710	357,861
DISTRICT 6 Montgomery	132,671	45,048	82,420	11,968	139,336	14,277	15,410	50,759	2,418	25,697	3,889	4,422	80,878	6,307	227,826
DISTRICT 7 Anne Arundel	132,671	45,048	82,420	11,968	139,336	14,277	15,410	50,759	2,418	25,697	3,889	4,422	80,878	6,307	227,826
	95,164	38,567	46,428	11,963	94,958	13,619	13,689	26,988	831	13,902	1,250	2,564	43,454	2,081	152,237
DISTRICT 8 Baltimore County	159,661	75,499	81,165	7,729	164,393	18,525	19,463	101,666	1,812	28,898	2,576	5,461	136,025	4,388	314,211
DISTRICT 9 Harford	41,622	13,225	23,320	1,916	38,461	3,693	4,531	8,072	361	4,921	467	813	13,806	828	59,121
	41,622	13,225	23,320	1,916	38,461	3,693	4,531	8,072	361	4,921	467	813	13,806	828	59,121
DISTRICT 10 Carroll	81,300	24,265	44,640	5,959	74,864	6,647	6,473	11,386	988	7,839	640	1,430	20,655	1,628	108,602
Howard	22,914	7,413	12,893	2,025	22,331	2,306	2,260	1,498	137	3,292	189	689	5,479	326	30,699
DISTRICT 11 Frederick	58,386	16,852	31,747	3,934	52,533	4,341	4,213	9,888	851	4,547	451	741	15,176	1,302	77,903
Washington	66,717	15,592	45,405	5,923	66,920	6,808	7,277	7,729	747	11,189	1,038	1,779	20,697	1,785	94,222
DISTRICT 12 Allegany	46,241	11,875	31,417	3,430	46,722	3,538	3,694	4,500	349	6,320	524	986	11,806	873	61,585
Garrett	20,476	3,717	13,988	2,493	20,198	3,270	3,583	3,229	398	4,869	514	793	8,891	912	32,637
	26,138	4,806	18,148	1,667	24,619	3,744	4,175	658	141	2,614	248	365	3,637	389	33,519
	14,749	3,393	9,549	1,266	14,208	2,786	3,102	561	140	1,868	172	224	2,653	312	20,188
	11,389	1,413	8,597	401	10,411	958	1,073	97	1	746	76	141	984	77	13,331
STATE	1,034,206	349,421	596,478	85,353	1,031,252	171,677	177,274	552,223	32,312	203,040	18,303	35,533	790,796	50,615	1,996,679

TABLE DC-5
POPULATION AND CASELOAD PER DISTRICT COURT JUDGE*
AS OF JUNE 30, 1992

JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Number of Judges	Population Per Judge**	CASES FILED OR PROCESSED PER JUDGE			
			Civil	Motor Vehicle	Criminal	Total
DISTRICT 1 Baltimore City	23	31,835	10,750	4,185	2,544	17,479
DISTRICT 2 Dorchester	1	30,700	3,782	11,685	1,858	17,325
Somerset	1	25,500	1,688	9,512	1,061	12,261
Wicomico	2	38,800	4,894	12,107	1,827	18,828
Worcester	1	35,500	4,184	17,024	3,681	24,889
DISTRICT 3 Caroline	1	28,500	1,882	6,120	924	8,926
Cecil	2	37,150	2,198	17,282	1,436	20,916
Kent	1	18,400	1,769	4,326	529	6,624
Queen Anne's	1	36,400	1,963	10,512	933	13,408
Talbot	1	32,100	2,614	10,790	1,240	14,644
DISTRICT 4 Calvert	1	56,600	2,081	13,221	1,816	17,118
Charles	2	54,500	3,733	8,701	2,022	14,456
St. Mary's	1	81,300	4,933	11,283	2,603	18,819
DISTRICT 5 Prince George's	11	68,600	16,169	14,617	2,048	32,834
DISTRICT 6 Montgomery	9***	90,267	8,986	15,482	1,712	26,180
DISTRICT 7 Anne Arundel	7	62,929	6,208	13,565	1,956	21,729
DISTRICT 8 Baltimore	12	58,350	11,335	13,699	1,622	26,656
DISTRICT 9 Harford	4	49,200	3,452	9,615	1,133	14,200
DISTRICT 10 Carroll	2	65,650	2,740	11,166	1,130	15,036
Howard	4	52,300	3,794	13,133	1,053	17,980
DISTRICT 11 Frederick	2	80,200	5,903	23,361	1,847	31,111
Washington	2	62,350	4,446	10,099	1,792	16,337
DISTRICT 12 Allegany	2	37,050	1,327	7,104	1,551	9,982
Garrett	1	28,800	984	10,411	1,073	12,468
STATE	94	52,884	8,413	10,971	1,886	21,270

* Chief Judge of District Court not included in statistics. Number of judges as of June 30, 1992.

** Population estimate for July 1, 1992, issued by the Maryland Center for Health Statistics.

*** Two Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-6
CASES FILED OR PROCESSED IN THE DISTRICT COURT
PER THOUSAND POPULATION

JULY 1, 1991-JUNE 30, 1992
FISCAL 1992

	Population*	Civil Filed	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1					
Baltimore City	732,200	338	131	80	549
DISTRICT 2					
Dorchester	30,700	123	381	61	565
Somerset	25,500	66	373	42	481
Wicomico	77,600	126	312	47	485
Worcester	35,500	118	480	104	702
DISTRICT 3					
Caroline	28,500	66	215	32	313
Cecil	74,300	59	465	39	563
Kent	18,400	96	235	29	360
Queen Anne's	36,400	54	289	26	369
Talbot	32,100	81	336	39	456
DISTRICT 4					
Calvert	56,600	37	234	32	303
Charles	109,000	68	160	37	265
St. Mary's	81,300	61	139	32	232
DISTRICT 5					
Prince George's	754,600	236	213	30	479
DISTRICT 6					
Montgomery	812,400	100	172	19	291
DISTRICT 7					
Anne Arundel	440,500	99	216	31	346
DISTRICT 8					
Baltimore	700,200	194	235	28	457
DISTRICT 9					
Harford	196,800	70	195	23	288
DISTRICT 10					
Carroll	131,300	42	170	17	229
Howard	209,200	73	251	20	344
DISTRICT 11					
Frederick	160,400	74	291	23	388
Washington	124,700	71	162	29	262
DISTRICT 12					
Allegany	74,100	36	192	42	270
Garrett	28,800	34	361	37	432
STATE	4,971,100	169	207	36	402

* Population estimate for July 1, 1992, issued by the Maryland Center for Health Statistics.

TABLE DC-7
FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE CASES PROCESSED
BY THE DISTRICT COURT OF MARYLAND
FISCAL 1988-FISCAL 1992

	1987-88	1988-89	1989-90	1990-91	1991-92
DISTRICT 1					
Baltimore City	85,702	99,416	103,068	92,805	96,262
DISTRICT 2					
Dorchester	11,567	12,398	12,711	12,086	11,685
Somerset	7,675	8,492	10,394	10,478	9,512
Wicomico	20,730	21,955	23,808	24,411	24,213
Worcester	22,712	21,762	23,148	20,869	17,024
DISTRICT 3					
Caroline	6,469	6,411	6,201	5,846	6,120
Cecil	31,434	34,886	34,694	35,128	34,563
Kent	2,897	3,608	3,956	3,916	4,326
Queen Anne's	9,058	8,840	10,114	10,236	10,512
Talbot	8,484	9,101	9,895	10,793	10,790
DISTRICT 4					
Calvert	10,029	10,686	14,626	14,782	13,221
Charles	14,754	16,765	16,224	16,148	17,401
St. Mary's	10,555	10,026	10,335	11,144	11,283
DISTRICT 5					
Prince George's	126,164	126,732	140,832	163,326	160,789
DISTRICT 6					
Montgomery	157,619	142,684	153,308	163,658	139,336
DISTRICT 7					
Anne Arundel	65,283	80,628	85,254	89,811	94,958
DISTRICT 8					
Baltimore	150,071	150,863	159,647	168,155	164,393
DISTRICT 9					
Harford	39,363	39,571	41,544	39,910	38,461
DISTRICT 10					
Carroll	17,197	19,126	21,890	21,925	22,331
Howard	54,753	56,895	55,799	52,261	52,533
DISTRICT 11					
Frederick	38,612	39,713	41,821	41,368	46,722
Washington	24,884	25,809	25,462	24,197	20,198
DISTRICT 12					
Allegany	14,230	14,764	16,637	15,905	14,208
Garrett	7,260	7,262	7,531	8,902	10,411
STATE	937,502	968,393	1,028,899	1,058,060	1,031,252

TABLE DC-8
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED
PROCESSED IN THE DISTRICT COURT OF MARYLAND
FISCAL 1988-FISCAL 1992

	1987-88	1988-89	1989-90	1990-91	1991-92
DISTRICT 1					
Baltimore City	51,414	54,920	59,096	53,768	58,520
DISTRICT 2					
Dorchester	1,347	1,599	1,996	1,792	1,858
Somerset	620	733	882	1,086	1,061
Wicomico	2,474	2,674	2,729	3,113	3,653
Worcester	2,955	3,209	3,338	3,827	3,681
DISTRICT 3					
Caroline	894	812	926	1,014	924
Cecil	2,482	2,122	2,568	2,996	2,871
Kent	573	470	504	537	529
Queen Anne's	566	591	710	787	933
Talbot	987	918	1,160	1,138	1,240
DISTRICT 4					
Calvert	1,100	1,521	2,148	1,710	1,816
Charles	2,726	3,632	3,725	3,817	4,043
St. Mary's	1,608	2,008	2,297	2,118	2,603
DISTRICT 5					
Prince George's	18,056	20,642	26,937	24,939	22,524
DISTRICT 6					
Montgomery	10,639	11,904	12,940	14,237	15,410
DISTRICT 7					
Anne Arundel	10,587	10,694	13,181	13,172	13,689
DISTRICT 8					
Baltimore	18,296	18,773	20,293	19,680	19,463
DISTRICT 9					
Harford	2,915	2,847	3,361	3,619	4,531
DISTRICT 10					
Carroll	2,400	2,461	2,697	2,452	2,260
Howard	3,192	3,871	4,305	4,408	4,213
DISTRICT 11					
Frederick	2,618	3,355	3,650	3,711	3,694
Washington	2,982	3,323	3,632	3,546	3,583
DISTRICT 12					
Allegany	1,871	2,059	2,039	2,516	3,102
Garrett	758	1,029	834	1,134	1,073
STATE	144,060	156,157	175,948	171,117	177,274

TABLE DC-9
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES FILED
IN THE DISTRICT COURT OF MARYLAND
FISCAL 1988-FISCAL 1992

	1987-88	1988-89	1989-90	1990-91	1991-92
DISTRICT 1					
Baltimore City	237,517	234,015	237,273	244,666	247,243
DISTRICT 2					
Dorchester	2,296	2,929	3,268	3,602	3,782
Somerset	1,001	1,265	1,462	1,569	1,688
Wicomico	8,890	8,797	8,985	9,529	9,787
Worcester	2,705	2,994	3,023	3,124	4,184
DISTRICT 3					
Caroline	1,371	1,678	1,839	2,100	1,882
Cecil	3,234	3,051	3,241	4,029	4,395
Kent	1,495	1,473	1,838	1,704	1,769
Queen Anne's	1,407	1,545	1,674	2,029	1,963
Talbot	1,503	2,199	2,242	2,766	2,614
DISTRICT 4					
Calvert	1,552	2,004	1,572	1,836	2,081
Charles	4,934	5,920	5,888	6,135	7,465
St. Mary's	3,243	3,935	4,580	5,460	4,933
DISTRICT 5					
Prince George's	153,083	163,429	167,860	169,956	177,858
DISTRICT 6					
Montgomery	61,742	70,849	71,642	76,479	80,878
DISTRICT 7					
Anne Arundel	35,502	37,138	34,023	39,419	43,454
DISTRICT 8					
Baltimore	106,653	116,433	128,856	136,585	136,025
DISTRICT 9					
Harford	10,910	9,858	10,789	12,632	13,806
DISTRICT 10					
Carroll	4,035	4,297	4,216	4,992	5,479
Howard	11,886	13,330	14,064	15,755	15,176
DISTRICT 11					
Frederick	7,695	9,271	10,163	11,435	11,806
Washington	6,905	6,748	8,008	8,643	8,891
DISTRICT 12					
Allegany	1,947	2,133	2,418	2,465	2,653
Garrett	878	835	821	984	984
STATE	672,384	706,126	729,745	767,894	790,796

TABLE DC-10
FIVE-YEAR COMPARATIVE TABLE
DRIVING WHILE INTOXICATED CASES RECEIVED BY
THE DISTRICT COURT OF MARYLAND
FISCAL 1988-FISCAL 1992

	1987-88	1988-89	1989-90	1990-91	1991-92	% Change
DISTRICT 1						
Baltimore City	2,947	3,048	2,527	2,134	1,893	-11.3
DISTRICT 2						
Dorchester	357	342	356	353	324	-8.2
Somerset	277	290	298	300	237	-21.0
Wicomico	642	716	793	673	595	-11.6
Worcester	813	893	957	862	913	5.9
DISTRICT 3						
Caroline	229	272	218	202	194	-4.0
Cecil	854	1,051	1,217	1,098	910	-17.1
Kent	217	190	166	140	183	30.7
Queen Anne's	304	330	306	342	316	-7.6
Talbot	322	338	357	435	413	-5.1
DISTRICT 4						
Calvert	825	984	1,120	1,190	807	-32.2
Charles	1,242	1,181	1,113	899	870	-3.2
St. Mary's	682	604	579	926	1,103	19.1
DISTRICT 5						
Prince George's	6,647	6,860	6,041	4,836	4,004	-17.2
DISTRICT 6						
Montgomery	5,674	5,692	6,179	6,558	4,968	-24.2
DISTRICT 7						
Anne Arundel	7,219	7,710	6,877	6,169	7,610	23.4
DISTRICT 8						
Baltimore	4,645	4,926	4,560	4,093	3,560	-13.0
DISTRICT 9						
Harford	1,511	1,579	1,477	1,550	1,509	-2.6
DISTRICT 10						
Carroll	739	714	920	956	872	-8.8
Howard	2,767	3,062	2,493	2,341	2,109	-9.9
DISTRICT 11						
Frederick	1,525	1,752	1,555	1,572	1,602	1.9
Washington	1,002	1,209	1,317	1,149	912	-20.6
DISTRICT 12						
Allegany	522	530	574	612	636	3.9
Garrett	405	393	406	317	283	-10.7
STATE	42,367	44,666	42,406	39,707	36,823	-7.3

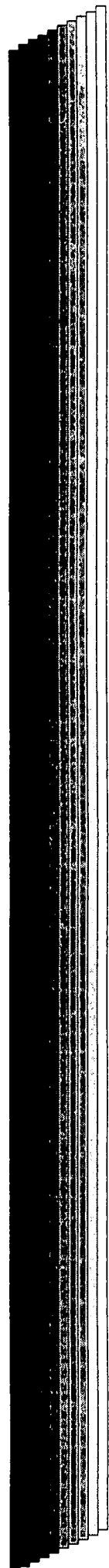
TABLE DC-11
DRIVING WHILE INTOXICATED DISPOSITIONS
FISCAL 1992

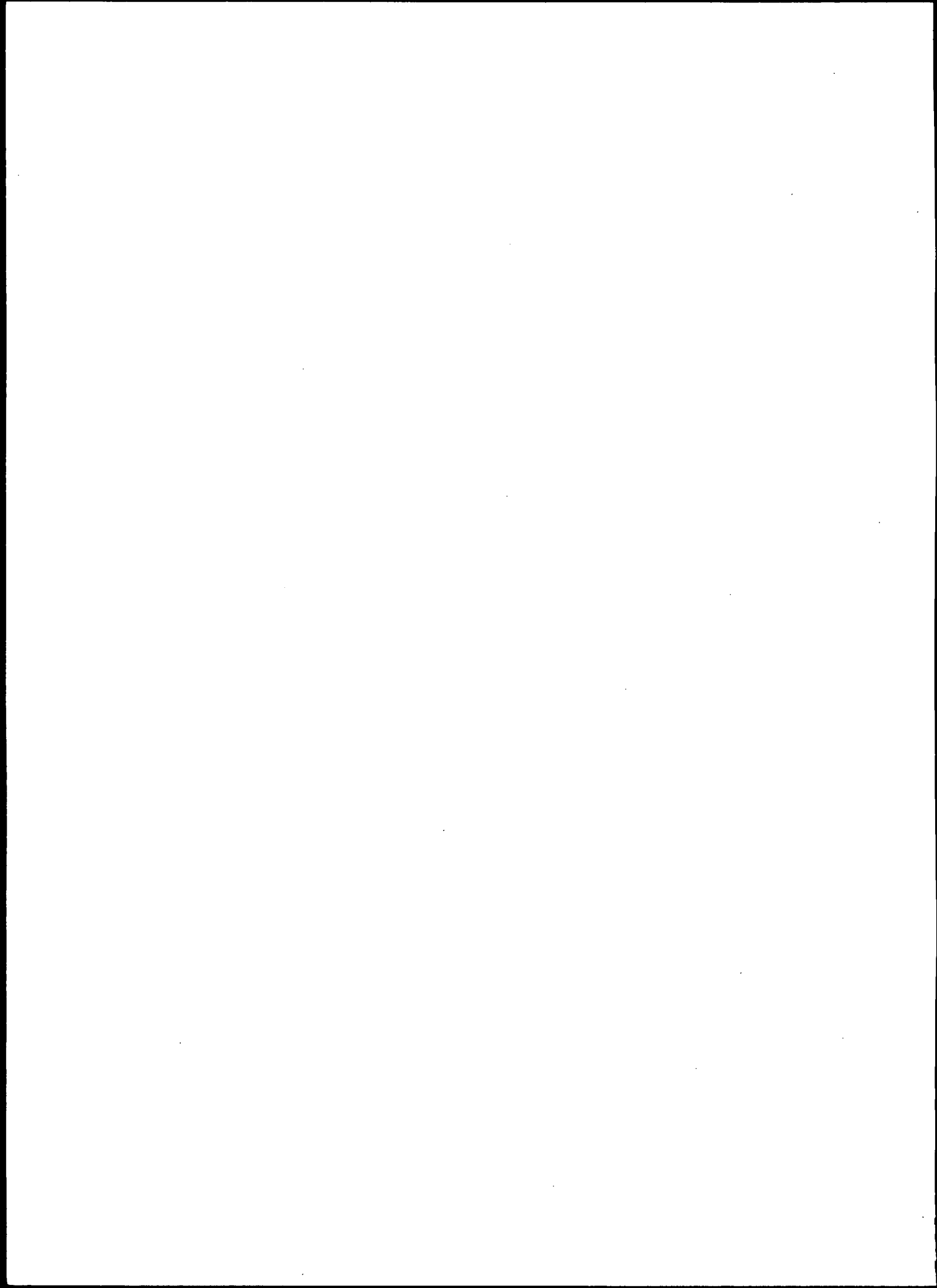
	Gilty	Not Gilty	Probation Before Judgment	Nolle Prossed	Stet	Merged	Jury Trial Prayers	Total Dispositions
DISTRICT 1								
Baltimore City	701	102	798	124	122	1	103	1,951
DISTRICT 2								
Dorchester	274	13	23	26	2	0	22	360
Somerset	130	5	4	42	1	0	74	256
Wicomico	375	37	200	59	24	0	103	798
Worcester	401	23	119	157	20	0	195	915
DISTRICT 3								
Caroline	170	7	22	19	1	0	22	241
Cecil	520	10	213	83	37	0	301	1,164
Kent	85	4	81	21	1	0	20	212
Queen Anne's	246	16	53	61	1	0	16	393
Talbot	282	19	80	31	9	0	26	447
DISTRICT 4								
Calvert	293	14	363	80	22	0	144	916
Charles	502	21	275	57	17	0	77	949
St. Mary's	312	54	51	401	12	11	339	1,180
DISTRICT 5								
Prince George's	540	161	1,221	1,235	180	6	947	4,290
DISTRICT 6								
Montgomery	1,548	114	2,116	672	694	1	551	5,696
DISTRICT 7								
Anne Arundel	1,163	757	1,604	2,028	473	590	652	7,267
DISTRICT 8								
Baltimore County	1,345	114	1,971	269	54	4	330	4,087
DISTRICT 9								
Harford	529	18	831	81	23	0	302	1,784
DISTRICT 10								
Carroll	144	28	280	32	7	0	525	1,016
Howard	518	40	806	130	40	33	646	2,213
DISTRICT 11								
Frederick	660	18	693	78	26	0	261	1,736
Washington	723	9	216	35	19	0	150	1,152
DISTRICT 12								
Allegany	509	4	167	30	9	0	42	761
Garrett	214	6	95	8	3	0	8	334
STATE	12,184	1,594	12,282	5,759	1,797	646	5,856	40,118

TABLE DC-12
FIVE-YEAR COMPARATIVE TABLE
EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS
HELD IN THE DISTRICT COURT OF MARYLAND
FISCAL 1988-FISCAL 1992

	Emergency Hearings					Domestic Abuse				
	1987-88	1988-89	1989-90	1990-91	1991-92	1987-88	1988-89	1989-90	1990-91	1991-92
DISTRICT 1										
Baltimore City	550	815	828	880	940	1,742	2,027	2,120	2,098	2,218
DISTRICT 2										
Dorchester	20	22	23	20	8	20	29	31	35	40
Somerset	10	13	12	4	4	7	19	15	28	14
Wicomico	58	65	69	42	52	75	89	114	100	125
Worcester	37	32	17	18	23	32	31	37	31	61
DISTRICT 3										
Caroline	3	3	4	4	2	27	15	21	23	18
Cecil	31	29	26	39	51	86	69	84	119	88
Kent	15	17	13	20	16	9	11	16	13	12
Queen Anne's	3	9	12	8	8	19	24	17	26	42
Talbot	20	16	13	7	2	14	22	18	18	12
DISTRICT 4										
Calvert	7	1	1	4	8	26	15	24	20	46
Charles	27	34	37	39	51	11	23	58	59	84
St. Mary's	49	65	75	35	20	67	74	44	51	54
DISTRICT 5										
Prince George's	546	430	454	420	434	614	673	782	692	836
DISTRICT 6										
Montgomery	145	265	336	406	432	344	405	456	488	548
DISTRICT 7										
Anne Arundel	274	199	223	175	215	387	300	393	330	297
DISTRICT 8										
Baltimore	391	331	383	420	445	656	623	777	810	856
DISTRICT 9										
Harford	14	6	18	20	37	15	4	62	55	70
DISTRICT 10										
Carroll	34	16	42	20	31	53	49	53	55	75
Howard	34	35	57	73	67	85	95	110	118	103
DISTRICT 11										
Frederick	48	35	35	46	50	84	85	147	151	193
Washington	16	24	24	31	35	97	114	129	164	178
DISTRICT 12										
Allegany	35	53	34	33	39	111	116	119	103	100
Garrett	12	20	11	13	13	80	66	83	78	94
STATE	2,379	2,535	2,747	2,777	2,983	4,661	4,978	5,710	5,665	6,164

JUDICIAL ADMINISTRATION





Judicial Administration

Administrative Office of the Courts

Under Article IV, §18(b) of the Maryland Constitution, the Chief Judge of the Court of Appeals is the "administrative head of the judicial system of the State."

Thirty-seven years ago, the Maryland Legislature took an additional step to provide the administrative and professional staff necessary to assist the Chief Judge in carrying out the administrative responsibilities under the Constitution by enacting §13-101 of the Courts and Judicial Proceedings Article. This statute established the Administrative Office of the Courts under the direction of the State Court Administrator, who is appointed and serves at the pleasure of the Chief Judge. The State Court Administrator and the Administrative Office provide the Chief Judge with advice, information, facilities, and staff to assist in the performance of the Chief Judge's administrative responsibilities. The administrative responsibilities include personnel administration, preparation and administration of the Judiciary budget, liaison with legislative and executive branches, planning and research, education of judges and court support personnel. Staff support is provided to the Maryland Judicial Conference, the Conference of Circuit Judges, the Judicial Institute of Maryland, and the Select Committee on Gender Equality. In addition, the Administrative Office serves as secretariat to the Appellate

and Trial Court Judicial Nominating Commissions. It also is responsible for the operation of data processing systems, collection and analysis of statistics, and compilation of other management information. The Administrative Office also assists the Chief Judge in the assignment of active and former judges to cope with case backloads or address shortages of judicial personnel in critical locations.

The following is a synopsis of some of the important activities of the Administrative Office of the Courts during Fiscal Year 1992.

Education and Training

In Fiscal Year 1992, the development of training programs for the circuit court clerks' offices was added to the Education and Training Department's traditional responsibilities for planning judicial education programs. The training programs for the clerks' offices were planned and implemented through the collaboration of the Circuit Court Management Services, Personnel, and Training and Education units of the Administrative Office of the Courts. Designed for supervisory personnel, the Leadership Training Workshops were conducted in five sessions from October 1991 through January 1992. Instruction encompassed motivation, performance management, performance evaluation, and delegation techniques. Highly interactive sessions were facilitated by staff from the Education

and Training and Personnel units. One hundred and sixty-two supervisors and managers from the clerks' offices participated in the two day sessions. Future plans for supervisory training include development of a leadership training manual and initiation of a second stage of leadership training during the fall of 1992.

Management Training

During a workshop in May of 1992, the Clerks of Court and Chief Deputy Clerks were provided with information about fiscal matters, new legislation, sexual harassment, and the Americans with Disabilities Act. Reinforcement of communication and performance management skills also were central to the workshop's objectives. This training, funded by the State Justice Institute under a grant to the Administrative Office of the Courts, was a collaborative planning effort by the Administrative Office of the Courts and the Training Advisory Committee. In addition, Clerks and Chief Deputies attended preview and debriefing sessions as part of the comprehensive leadership training program.

Educational Media

The Education and Training unit produced videos on motivation and performance management that were used during the leadership training sessions. Video scenarios depicting incidences of sexual harassment were developed for the management workshops. These videos were in-

tegral to problem-solving sessions and were designed to replicate typical supervisory and managerial dilemmas.

During Fiscal Year 1992, staff from the Education and Training unit began production of an orientation video for new employees in the circuit court clerks' offices. In conjunction with this video, a companion guidebook and instruction program for orientation trainers will be developed. It is anticipated that this comprehensive employee orientation package will be completed in Fiscal Year 1993.

Also, an interactive video disc program currently is in production. This training video will highlight effective confrontational techniques for supervisors. The development of both educational technologies and the distri-

bution of its products for use Statewide is funded by the State Justice Institute.

Judicial Institute of Maryland

Despite the virtual elimination of the travel budget supporting judicial education programs, trial and appellate judges participated in a full slate of continuing education programs in Fiscal Year 1992. Judicial education classes were transferred from rented hotel space to the People's Resource Center in Crownsville, Maryland. Participating judges and instructors were not reimbursed for travel, meals, or lodging while attending Judicial Institute courses during this fiscal year. Still, 86 percent of sitting judges registered for

programs during calendar 1992.

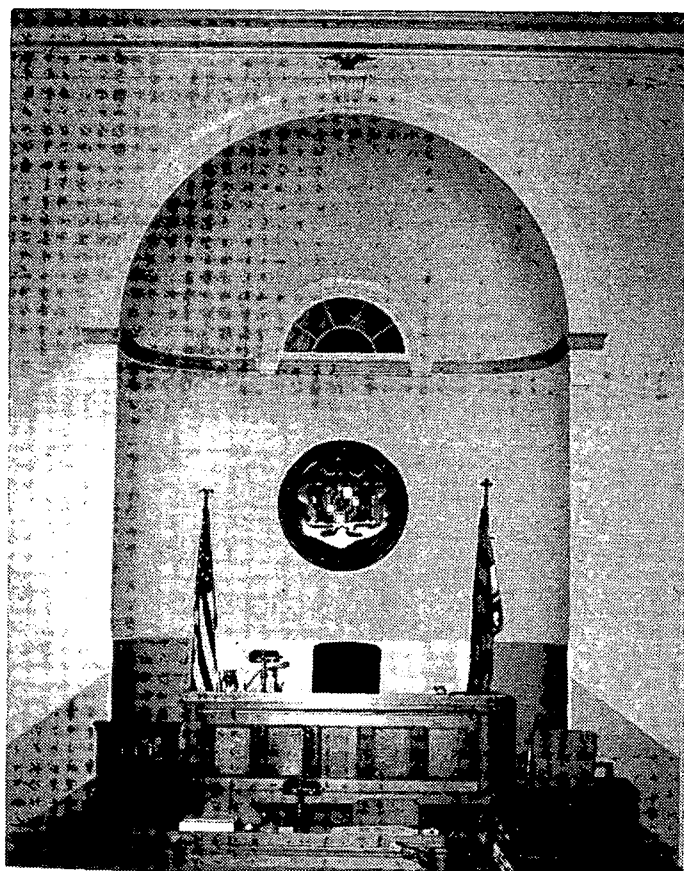
New courses included *Handling the Chronic Youthful Offender*; *Managing the Child Abuse Trial*; *Electronic Surveillance*; *Sanctions*; *Environmental Law*; *English Legal History*; *Statutory Construction*; *Emergency Ex-Parte Orders*; *Alternative Dispute Resolution*; *Race and the Criminal Process*; *Employment Law*; and *Consumer Protection Law*. In 1992, courses in *Evidence*; *Marital Property*; *Violations of Probation*; *Pre-Trial Motions in Criminal*; *The Right to Forego Treatment*; and *Mental Health*, as well as a law and literature program were repeated.

Newly appointed judges took part in a five day orientation program in May of 1992. The class was much smaller than recent orientations because of several unfilled judicial vacancies. However, the curriculum was only moderately revamped and the entire judicial faculty returned. Chief Judge Murphy and the Board of Directors were so convinced of the value of this program that planners did not cut back on the amount of student or faculty time traditionally invested in new judge training.

The individualized new judge orientation process is being studied by a joint committee of the Board and select administrative judges appointed by Chief Judge Murphy. A new trial judge mentoring order, which recognizes the differences between circuit court and District Court orientation needs, will be proposed to Chief Judge Murphy.

Judicial Education and Training Media Projects

Staff from the Education and Training unit will be working with two instructor judges over



Courtroom - Garrett County Circuit Court

the summer and fall of 1992 to produce one hour videotapes on hearsay and constitutional law. These videotapes will be the first in a series of short educational tapes produced specifically for video, rather than a live audience.

Judge Leonard Ruben of the Montgomery County Circuit Court initiated an education program for school audiences to show students what could happen if they become involved in the criminal justice system through drug use or distribution. His program includes the sentencing of actual defendants convicted of drug convictions, stories by persons previously addicted to drugs who are veterans of the criminal justice system, and a tour of the court's lock-up. The Education and Training unit taped a session of Judge Ruben's program and will offer copies to trial judges planning to adopt similar programs in their jurisdictions. This project has been reviewed by the Public Awareness Committee of the Maryland Judicial Conference and the Governor's Drug and Alcohol Abuse Commission.

Interstate Judicial Education Conference

Thirteen judges and administrators represented Maryland at the ninth annual interstate judicial education conference. This year's program, *Court Related Needs of the Elderly and Persons with Disabilities*, was an outgrowth of a 1991 national conference developed by the National Judicial College. State Justice Institute funding obtained by the National Judicial College allowed participants from Connecticut, Delaware, Maryland, New Jersey, Ohio, Pennsylvania, and West Virginia to attend the Princeton, New Jersey program

in May of 1992. It was a particularly important and timely topic for state courts because of the Americans with Disabilities Act.

AOC Training

Staff from the Education and Training unit planned a series of "Brown Bag Lunch Workshops" for Wednesdays at noon during the summer months in 1992.

State Court Administrator George B. Riffin, Jr. invited personnel from the Administrative Office of the Courts, State Law Library, Rules Committee, Board of Law Examiners, and appellate court offices to these sessions as a way of providing brief updates and information on work-related topics.

The Select Committee on Gender Equality

Twenty one judges and attorneys serve on the Select Committee on Gender Equality. Since its inception in 1989, this Committee has been a joint committee of the Maryland Judiciary and the Maryland State Bar Association. At the direction of the Committee chair, the Hon. James S. McAuliffe Jr., the members were active in many areas in Fiscal Year 1992.

The Committee supported proposed revisions to Canons 2 and 3 of the Maryland Code of Judicial Conduct. At the Maryland Judicial Conference held on May 2, 1992, the Conference adopted a resolution to recommend to the Court of Appeals that it amend these Canons.

Beginning with the Maryland Bar Examination scheduled for July 1993, the examination will include questions on family law.

Several Committee members were active on the teaching circuit. A program on sexual harass-

ment, held at the Maryland State Bar Convention in June 1992, was standing room only. There was a great deal of debate and discussion among the participants and instructors. A videotape and discussion questions also were prepared for circuit court clerks training this year.

A gender bias complaint procedure, designed and approved by the Committee, was distributed to county, circuit, and District administrative judges. A Complaints Subcommittee also was established to examine and respond to complaints of a gender fairness nature.

The Select Committee on Gender Equality passed a resolution to support and encourage Judicial Nominating Commissions and bar-related Judicial Selection Committees to use questions which attempt to explore a judicial candidates sensitivity to significant gender issues.

A Courtwatch program sponsored by the Women's Bar Association was conducted for a week in April. Volunteers sat in every courtroom in the State and observed courtroom proceedings. The results of those observations are being compiled and will be included in a report that will be released in the fall of 1992. Although other states have conducted Courtwatch programs on a smaller scale, this is the first time that one has been conducted on a statewide basis. The Committee has received requests for information from other states, as well as the country of Israel.

Cooperative Reimbursement Agreement

The Cooperative Reimbursement Agreement or "CRA" is a contract between the Administrative Office of the Courts and the

Child Support Enforcement Administration at the Department of Human Resources. It provides for federal reimbursement of Title IV-D child support services that are being supplied by the circuit court clerks' offices. Title IV-D child support cases are those cases filed by the State's Attorneys' Office or special counsel appointed by the Attorney General.

This is the first time that a Cooperative Reimbursement Agreement has been signed for the clerks' offices on a State-wide basis. Previously, Allegany County, Baltimore City, Prince George's County, and Montgomery County have had their own contracts with the Child Support Enforcement Administration. The CRA will become effective on July 1, 1992.

The federal government, working through the Child Support Enforcement Administration in Maryland, will reimburse the State's General Fund for 66 percent of a circuit court clerk's salary for the time devoted to child support work. It also will reimburse 66 percent of the costs for supplies, postage, photocopies, and other related items.

Employees in the clerks' offices assisted with the collection of all of the necessary information required for the CRA. A training session on the statistical and expenditure reports prescribed by the agreement was held in June of 1992 for the clerks' offices.

Judicial Information Systems

Judicial Information Systems (JIS) is responsible for the administration and operation of the Judicial Data Center (JDC) and automated data systems for the Maryland Judiciary.

In Fiscal Year 1992, Prince

George's County was added to the District Court-criminal scanner barcode system. This system automated three manual functions, consisting of commissioners, accounts receivable, and adjudication information. Implementation of Montgomery County, in Fiscal Year 1993, will complete this State-wide system for these functions. The courtroom segment for these jurisdictions has progressed to the point that piloted implementation is expected in the third quarter of Fiscal Year 1993, followed by State-wide implementation. Analysis continued on implementation of a new State-wide twelve digit tracking number. Continuing upgrades to the District Court civil system will provide timely information on judicial case workloads; enhanced case management and case tracking functions; reduced delay of civil case processing; and alleviated manual labor-intensive aspects of civil case processing.

Analysis was completed on an automated paternity and criminal non-support system including data base structure, screens and data entry requirements, along with forms and report formats. Programming was started during Fiscal Year 1992 with completion expected in Fiscal Year 1993. Analysis continued on a new juvenile automated system for Baltimore City. This system, when implemented, will eliminate current processing problems and improve court efficiency. After the assumption of responsibility for circuit court automation, an analysis was completed in Fiscal Year 1992 which dramatically altered the methodology for implementation of systems as related to the circuit courts. A centralized set of programs operated on the JIS mainframe computer in

Annapolis is being developed. This will enable the transfer of data back and forth through the judicial communications network to smaller local personal computer-based systems and local area networks (LANS) in each jurisdiction. A new automated Land Record System has been designed and, after the completion of piloting in Washington and Harford Counties, will be implemented State-wide in Fiscal Year 1993. This system has been designed to store sixty (60) years of indexing information. Plans have been developed to purchase existing data from COTT for conversion into the new system. The system also will include a personal computer-based cash register component which will automate all non-judicial cash functions.

The installation of personal computers and LANS in the clerk's offices will allow for not only data sharing capabilities, but also installation of software such as WordPerfect for word-processing; Lotus for spread sheets; and E-Mail for internal communications and information sharing with other offices and agencies. Personal computers also will permit development of automated systems to assist the clerk's offices with such non-judicial functions as processing of business licenses.

Judicial Information Systems moved to new facilities during Fiscal Year 1992 with a minimal disruption to users. The move allowed JIS to update the dial-up attorney access system and eliminate some technical problems of the past. In addition to having access to certain District Court and Eighth Circuit Court information, access now is available to Anne Arundel and Carroll Counties through the judicial commu-

nication network. With the implementation of the land record system, that information also will become available through an enhanced communication network.

Office Automation capabilities continued to be upgraded in the form of wordprocessing, spread sheets, and E-Mail in Fiscal Year 1992.

Circuit Court Management Services

As a result of a constitutional amendment, the clerks' offices of the circuit courts were transferred from the Comptroller's Office to the Judiciary effective January 1, 1991. The responsibility for the management of these offices now resides with the Chief Judge of the Court of Appeals. In response to this legislative and electoral mandate, the Administrative Office of the Courts formed the Circuit Court Management Services unit to assist with the oversight of the clerks' offices. This unit is under the direct supervision of the Deputy State Court Administrator and composed of five assistant administrators and one management assistant.

Historically, the clerks' offices operated as substantially independent units of State government and, consequently, there was no procedural uniformity among jurisdictions. Workload and staffing disparities gradually evolved. These inequities have been recognized by both the General Assembly and the Legislative Auditor and, in accordance with their directives, the Administrative Office of the Courts has engaged the Circuit Court Management Services unit in an extensive examination of all clerk operations.

Several management audits were performed by Circuit Court Management Services in Fiscal Year 1992. In the Clerk's Office of the Circuit Court for Anne Arundel County, the workflow and staffing requirements of the Law, Equity, Appeals, Trust and Adoptions, and Indexing Departments were assessed and revisions to work procedures and staffing assignments were recommended. A management audit of the land recordation and licensing functions performed by the Clerk's Office of the Circuit Court for Baltimore City was conducted during Fiscal Year 1992 and a final report addressing the workflow and staffing requirements is pending. A comprehensive analysis of the Juvenile Court, as well as the Juvenile Department of the Clerk's Office, currently is in progress. During the study, the workflow, staffing requirements, records management practices, and automation needs of the Court and the Clerk's Office will be examined.

In the Clerk's Office of the Circuit Court for Baltimore County, the law and equity functions were consolidated into a single civil operation in accordance with a plan developed by the Administrative Office of the Courts. An examination of the civil assignment procedures practiced within the Circuit Court for Howard County, as well as the Clerk's Office, resulted in recommendations to improve current office operations and employee performance. A management audit of the entire Clerk's Office of the Circuit Court for Frederick County also was completed in Fiscal Year 1992.

In Fiscal Year 1992, Circuit Court Management Services organized the Advisory Committee on Court Costs and the Advisory

Committee on Statutory Revision. These committees, comprised of representatives from the clerks' offices, were assembled to provide the clerks of court with a forum to develop legislative and procedural initiatives to benefit their offices. During its initial term, the Costs Committee standardized fees and established uniform cost procedures throughout the State. It also instituted a plan to reduce account receivables in the clerks' offices by collecting fees in advance. The Statutory Revision Committee prepared legislation for presentation during the 1993 Session of the General Assembly which addresses the issuance of business, alcoholic beverages, and natural resources licenses by the clerks' offices. Additional legislation which alters the recordation procedures for land instruments, charter documents, public official bonds, and financing statements also was drafted.

In considering the many proposals for statutory amendments submitted by clerks' offices, the Statutory Revision Committee developed the concept of an intake sheet to facilitate the recording and indexing of land instruments. The Clerk's Office of the Circuit Court for Baltimore County was selected as a pilot site for the intake sheet and the Administrative Office of the Courts, on behalf of the Clerk of Court, collaborated with the Baltimore County Office of Finance and Maryland Department of Assessments and Taxation to consolidate the information needs of each office into one intake sheet. The pilot implementation of the *Baltimore County Land Instrument Intake Sheet* will be evaluated in early 1993 and the feasibility of its State-wide application will be assessed as well.

In Fiscal Year 1992, the Advisory Committee on Records Management was organized. This committee, staffed by Circuit Court Management Services and comprised of representatives from the clerks' offices and the Maryland State Archives, has developed a new records retention schedule for the clerks' offices. During its inaugural term, the Records Management Committee also assessed the merits of a privatization proposal submitted by the Clerk's Office of the Circuit Court for Anne Arundel County and reviewed the feasibility of installing public facsimile machines in the clerks' offices. Applications for microfilm and optical disc technologies were discussed by the Records Management Com-

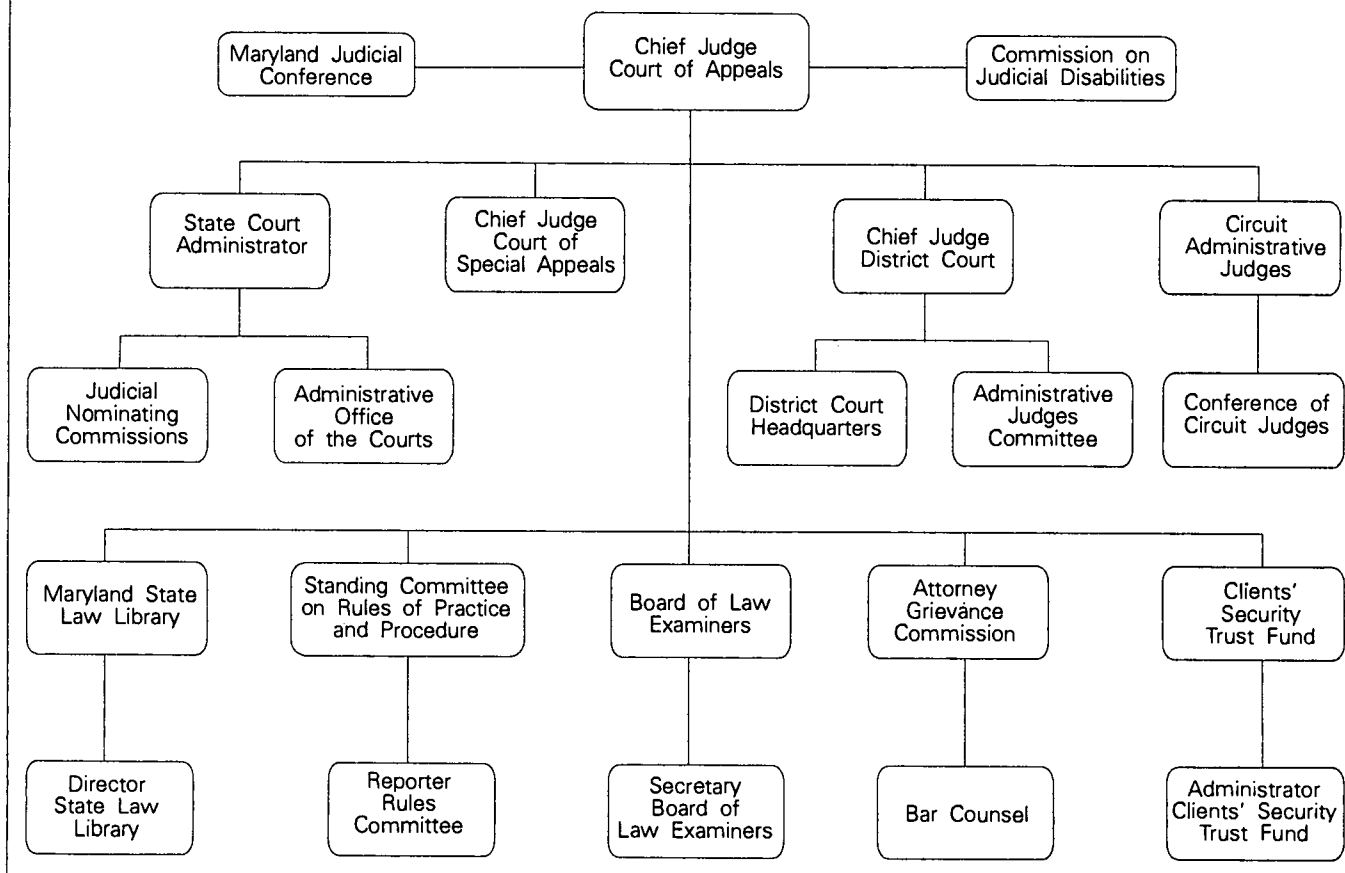
mittee as well.

In addition to its work on behalf of the Advisory Committee on Records Management, the Circuit Court Management Services unit initiated several major records-related projects in Fiscal Year 1992. In the Clerks' Offices of the Circuit Courts for Charles, Howard, and Worcester Counties, conversions from paper-based land record systems to fully operational 16mm microfilm systems were begun for evaluation purposes. Also, in an effort to ensure the optimum accessibility and security of court files and maximize the use of current office space allocations, open-shelf lateral filing systems were installed in the Clerks' Offices for the Circuit Courts of Allegany, Caroline,

Dorchester, Garrett, Howard, Prince George's, Somerset, and Talbot Counties. In the Clerk's Office of the Circuit Court for Baltimore County, a barcoding system designed by the Administrative Office of the Courts was implemented to track judicial records.

The Administrative Office of the Courts, in cooperation with the Maryland State Archives, initiated a State-wide project to improve the archival quality of the subdivision and condominium plats recorded with the clerks' offices. These records, which currently are in a state of deterioration, will be scanned and microfilmed to ensure that they meet archival standards. The Clerks' Offices in the Circuit

Administrative Organization



Courts for Cecil and Wicomico Counties are the pilot sites for this endeavor.

In accordance with a comprehensive proposal by the Administrative Office of the Courts which addressed the advanced state of deterioration in the current civil docket books, the Clerk's Office of the Circuit Court for Anne Arundel County repaired and microfilmed the records to ensure their preservation and accessibility. The Administrative Office of the Courts also conducted a detailed analysis of a record storage and retrieval problem in the Clerk's Office of the Circuit Court for Prince George's County and recommended the disposal of 50,000 files.

In the Clerk's Office of the Circuit Court for Montgomery County, the Administrative Office of the Courts initiated the conversion of the present MICROX filming system for civil, criminal, and juvenile records to a microfilm system so that the records would be in compliance with archival standards. In addition, all non-standard land record microfilm cartridges are being converted to ANSI standard cartridges to enable universal access using any reader or reader/printer equipment in the Clerk's Office. It is anticipated that these conversion projects will be completed in Fiscal Year 1993.

The Circuit Court Management Services unit utilized its desktop printing capabilities to publish the *Annual Report of the Maryland Judiciary 1991-1992*. It also developed several publications during Fiscal Year 1992 in an effort to promote communication between the Administrative Office of the Courts and the clerks' offices. Throughout the 1992 Session of the General Assembly, the *Legislative Review*

was compiled for the clerks of court to provide a bi-weekly synopsis of legislation pertinent to their offices. A quarterly newsletter, entitled *The Quarterly Record*, was distributed to all of the employees in the clerks' offices to inform them of projects throughout the State and relevant issues affecting their work. A public information brochure also was prepared for the clerks' offices and an early 1993 publication date is planned.

Fiscal Management and Procurement

The Fiscal Management unit prepares and monitors the annual Maryland Judiciary budget, excluding the District Court of Maryland. This year, for the first time, this budget preparation and monitoring function included the budgets for all of the circuit court clerks' offices. All accounts payable for the judiciary are processed through the Fiscal Management unit, including all of the clerks' offices. Accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Department of the State Comptroller's Office. In addition, the Fiscal Management unit prepares monthly reports showing budget balances and expenditures for distribution to the clerks' offices. The working fund also is the responsibility of the Fiscal Management staff. Records are maintained in order for the legislative auditor to perform audits on the fiscal activities of the judiciary.

General supplies and equipment are purchased by the Fiscal Management unit. Staff members also prepare and solicit competitive bids on equipment, furniture, and supplies. These ac-

tivities now include purchasing and bid preparation for the clerks of the circuit courts.

An automated inventory control system was established in 1987 for all furniture and equipment used by the Maryland Judiciary. This system uses a bar code attached to all equipment and furniture. Inventory is completed with a scanning device which automatically counts the items, producing financial totals that are required by the State Comptroller's Office. This system is in the process of being extended to include the clerks' offices.

When the Fiscal Management unit assumed responsibility for functions previously handled by the clerks' offices, numerous internal organizational changes were required. One of these was the addition of an internal auditing function. In this capacity, staff auditors visit the clerks' offices to perform internal audits, follow-up audits to the Legislative Auditors, and other data gathering and recordkeeping activities.

The clerks' offices historically have collected funds which are held in reserve until the court orders disposition. The internal auditors, along with other Fiscal Management unit employees, now monitor these special fund monies. Data collected through this monitoring function is reported to various executive agencies for use in fiscal planning. In addition, data is compiled for the Comptroller of the Treasury for inclusion in the Annual Report.

The Fiscal Management unit also monitors and compiles monthly financial data for the Federal Child Support Administration Grant. This grant initially established programs in four counties. However, beginning in July 1992, the program

was extended to all 24 counties, making this the largest federal grant in the State.

Another program monitored by the Fiscal Management unit is the Court Appointed Special Advocates (CASA) Program. Staff members oversee grants and monitor quarterly expenditure reports, as well as prepare a year-end annual report of CASA State-wide activities for the Chief Judge of the Court of Appeals.

In addition, the Fiscal Management unit is involved in developing and implementing an automated cash register system and an accounts receivable system for the offices of the clerks of the circuit courts. These programs are being prepared to help the clerks provide faster and more accurate services for the public.

Other responsibilities of the Fiscal Management unit include distribution of payroll checks for all Judiciary personnel, except the District Court and circuit courts; maintaining lease agreements for all leased property; monitoring the safety and maintenance records of the Judiciary's automobile fleet; and performing assignments as directed by the Chief Judge of the Court of Appeals.

Judicial Personnel Services

The Judicial Personnel unit is responsible for developing and administering personnel systems for the 24 circuit court clerks' offices State-wide, as well as the Administrative Office of the Courts.

Personnel policies have been developed for the circuit court clerks' offices as a result of the constitutional amendment. Policies governing time reporting,

leave, and hiring already have been implemented. New policies regarding performance management, equal opportunity, sexual harassment, Americans with Disabilities Act, grievance, separation, nepotism, and introductory employment period have been proposed. The Personnel Advisory Committee, comprised of representative clerks of court, Personnel unit staff, and circuit court clerks' office supervisors, drafted and reviewed all of these policies.

Personnel unit staff participated in the leadership training for circuit court clerks' office supervisors and presented topics addressing performance evaluation, unsatisfactory job performance, and performance standards. An overview of employment law impacting circuit court clerks' offices, such as the Americans with Disabilities Act and Civil Rights Act of 1991, was presented to the clerks of court at a separate program.

A comprehensive class and pay study is underway for all circuit court clerks' office employees to ensure internal equity and market competitiveness. The goal is to develop one class and pay structure that will accommodate all of the 24 jurisdictions.

The Personnel unit continues to provide assistance to the clerks of court and Administrative Office of the Courts management in handling employee problems, including preparation of documentation, referrals to the Employee Assistance Program, and counseling sessions with supervisors and employees.

At the beginning of the year, the Personnel unit assumed the payroll responsibility for all circuit court judges and employees of the circuit court clerks' offices, as well as the Administrative Office

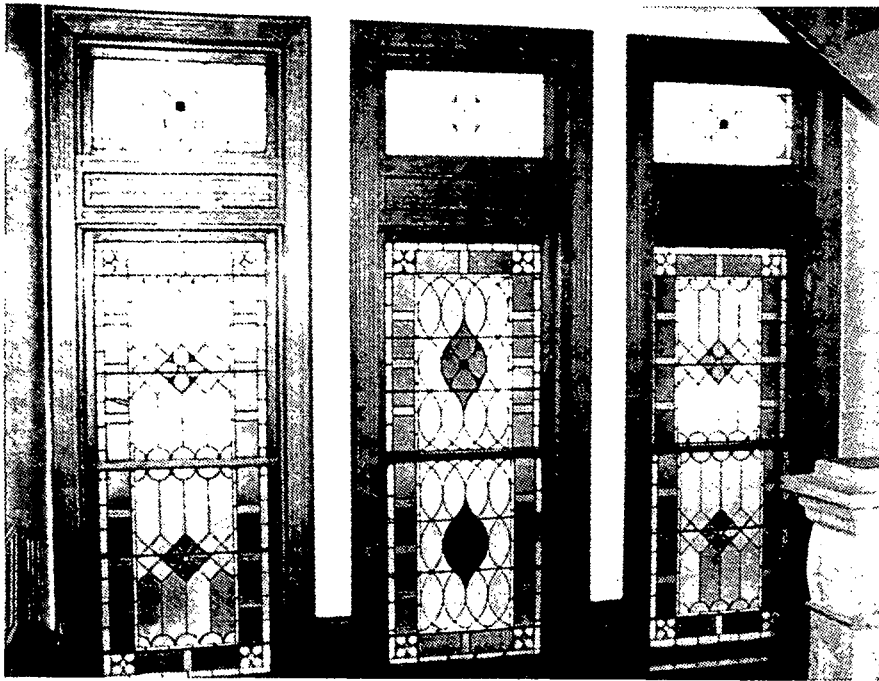
of the Courts. The leave accounting system for non-judicial employees has been revised to reflect the recently adopted time reporting policy. The leave accounting system will undergo further revisions to support the other leave policies. Circuit court judges' leave accounting also is maintained by Personnel unit staff.

The Personnel unit is in the process of becoming the official custodian of all circuit court clerks' office employee records to provide better service to employees and supervisors. Further, the unit has become the focal point for benefits coordination, including open enrollment and resolution of claim problems on behalf of the employees.

All hiring activity for the Administrative Office of the Courts and circuit court clerks' offices is coordinated through the Personnel unit. In compliance with the Americans with Disabilities Act, essential job functions for each vacant position and an interviewing guide were developed. Further, Personnel unit staff conduct the background checks on all District Court employees, as well as potential employees of the Administrative Office of the Courts and circuit court clerks' offices. Personnel unit staff participate in the orientation of circuit court and District Court judges and Administrative Office of the Courts employees.

Sentencing Guidelines

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide judges with information helpful in sentencing. Additionally, guidelines are used to create certain records of sentences im-



Stained Glass Windows - Allegany County Circuit Court

posed for particular offenses and types of offenders. The guidelines were developed and evaluated by judges in consultation with representatives from other criminal justice, related governmental agencies, and the private bar. Under the direction of the Sentencing Guidelines Advisory Board, staff monitor the use of guidelines to ensure the completeness and accuracy of the data used to review and up-date them.

With respect to the use of the guidelines, training exists in several forms. All new circuit court judges receive an orientation on the function and use of the guidelines. Also, an instructional videotape is available upon request to every jurisdiction.

Completed worksheets to determine the recommended sentence range are sent to the Sentencing Guidelines staff in the Administrative Office of the Courts. The data then is added to the main file for future analyses.

Data derived from the worksheets is used to produce statistical reports on compliance rates, ascertain fluctuations in certain sentences, and determine sentencing patterns throughout the State.

During the past year, the Guidelines Revision Committee, convened by Judge Joseph H. H. Kaplan and chaired by Judge Dana M. Levitz, continued its study on possible revisions. The Committee reviewed the range of compliance with the guidelines on most felony cases. It also is studying the effect of violations of probation on the overall compliance rate. The sentences imposed upon a violation of probation are being factored to determine the extent to which the compliance range may be affected.

Once the Committee completes its study, new guideline compliance ranges, as well as additional charges to be covered by sentencing guidelines, will be proposed. A revised manual also

will be issued once the revised guidelines are approved.

The District Court of Maryland

The retirement in early 1991 of the Honorable Thomas J. Curley marked the end of an era for the District Court, as he was the last of the twelve original administrative judges who assumed their positions when the Court began in 1971. Of that original dozen, nine were ultimately appointed to the circuit court, where four continue to serve, while another has moved on to the United States District Court.

The contribution of the administrative judges to the success of this Court is immeasurable, and all the more remarkable because they perform their heavy administrative burdens without additional compensation, and because each of them continues to serve as a trial judge as well as an administrator.

Working hand-in-hand with the administrative judges of the Court have been the men and women who serve as administrative clerks. For the most part, they are individuals who have risen through the ranks of the clerical staff to their present positions of greater responsibility, and their day-to-day, hands-on management of our clerical operations is an essential ingredient in our ability to process the 2,000,000 cases a year that are filed in this court.

It detracts not at all from the importance of the administrative judges and administrative clerks, however, to state that the lifeline of the District Court, in addition to its excellent trial judges, is the 1,200 men and women who function as the Court's nonjudicial staff. This court could not possi-

bly serve our citizens properly without the intensive involvement and dedication of our clerks and bailiffs, accountants and constables, commissioners, secretaries and administrators.

There is probably no greater compliment that could be paid to the nonjudicial personnel of the District Court than that in a normal year, in which 600,000 cases are tried in our courtrooms, with 1,000,000 litigants, victims and witnesses present, the administrators of the Court receive scarcely a dozen complaints about their treatment of those troubled citizens. Indeed, in the year just concluded, as in almost every year of the Court's existence, the number of written compliments about court employees was more than treble the written complaints received.

Fiscal Year 1992 was another year of sacrifice for those who are employed in the Court. It marked the second successive year in which increments were withheld and in which no cost of living salary increase was provided. Our employees continued to perform a 40-hour week at the same level of compensation they had received for a 35.5-hour week. To all of this was added forced furlough days, from two to five in number—a cost-saving technique that effectively reduced the income of every non-judicial employee of the Court.

And yet, despite all of this, there was no discernible flagging of employee effort, employee courtesy, employee concern, or employee integrity. The professional workforce of the Court, depleted in numbers because of a job freeze, continue to process the Court's enormous caseload in the same exemplary fashion that has been its hallmark for a genera-

tion, not only keeping current with the escalating criminal and civil caseload, but eating into backlogs in the few jurisdictions where they existed.

Their competence, their pride in the Court and pride in themselves, and their recognition of the importance of the role that the Court plays in the lives of our citizens constitute their own monument to state service.

Assignment of Judges

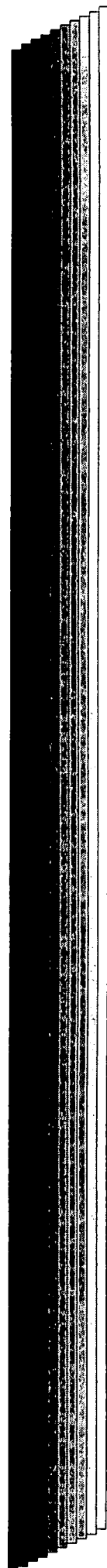
Article IV, §18(b) of the Maryland Constitution provides the Chief Judge with the authority to make temporary assignments of active judges to the appellate and trial courts. Also, pursuant to Article IV, §3A and §1-302 of the Courts Article, the Chief Judge, with approval of the Court of Appeals, recalls former judges to sit in courts throughout the State. Their use enhances the Judiciary's ability to cope with growing caseloads, extended illnesses, and judicial vacancies. It minimizes the need to assign full time judges, thus disrupting schedules and delaying case disposition. For example, two retired circuit judges provided invaluable assistance in the processing and trial of Maryland's asbestos case backlog.

Circuit Administrative Judges, pursuant to the Maryland Rules, assigned active judges within their circuits and exchanged judges between circuits upon designation by the Chief Judge of the Court of Appeals. Further by designating District Court judges as circuit court judges, vital assistance to these courts was provided in Fiscal Year 1992. This assistance consisted of 40 judge days. The

Chief Judge of the District Court, pursuant to constitutional authority, made assignments internal to that Court to address backlogs, unfilled vacancies, and extended illnesses. In Fiscal Year 1992, these assignments totaled 526 judge days. At the appellate level, the use of available judicial manpower continued. The Court of Special Appeals caseload is being addressed by limitations on oral argument, assistance by a central professional staff, and a pre-hearing settlement conference. The Chief Judge of the Court of Appeals exercised his authority by designating appellate and trial judges to sit in both appellate courts to hear specific cases. Finally, a number of judges of the Court of Special Appeals were designated to different circuit courts for various lengths to assist those courts in handling the workload.

Because of Maryland's fiscal crisis in Fiscal Year 1992, the Chief Judge of the Court of Appeals directed that several cost-containment measures be taken, one of which was a holding back on expenditures for the use of retired judges. The number of days that former judges sat in Fiscal Year 1992 dropped significantly in comparison to Fiscal Year 1991. Despite these measures, it was still necessary for the Chief Judge to recall 18 former circuit court judges, and 3 former appellate judges to serve in the circuit courts for 536 judge days for the reasons given. In addition, 23 former District Court judges were recalled to sit in that court totaling approximately 591 judge days and 2 former appellate judges were recalled to assist both courts for a total of 79.9 judge days.

COURT- RELATED UNITS



Court-Related Units

Board of Law Examiners

In Maryland, the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice

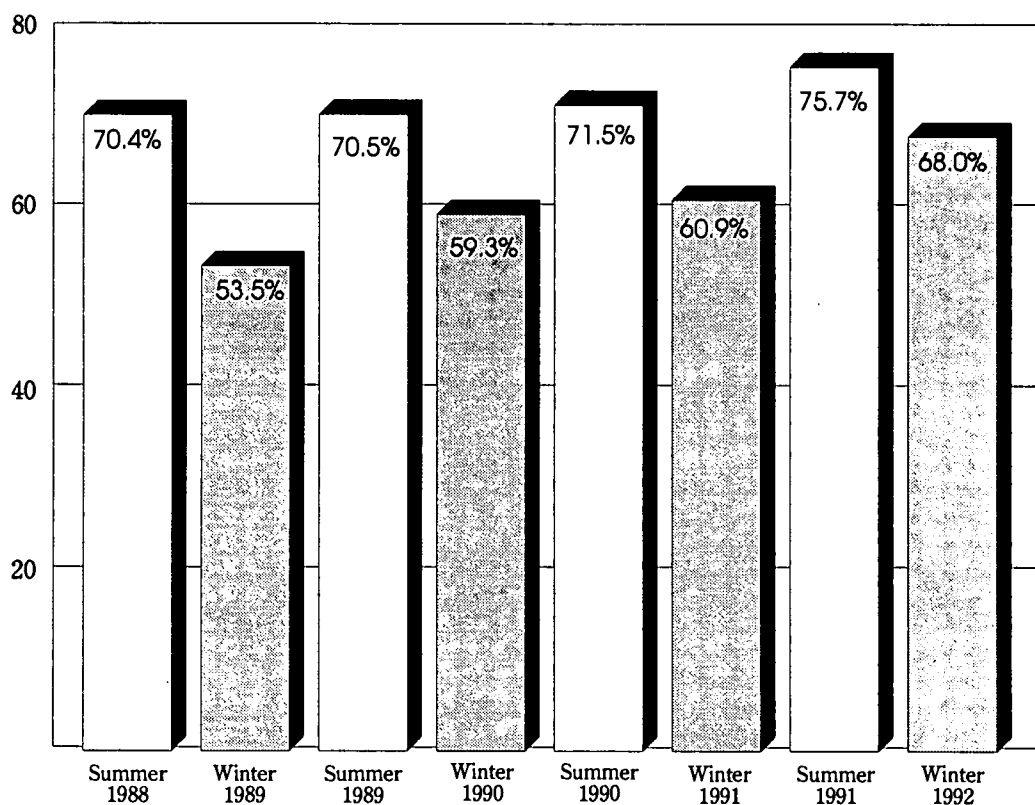
annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours of writing time.

Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now

occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in fifty jurisdictions. The states not using the MBE are Indiana, Iowa, Louisiana, and Washington. It is a six-hour test that covers six subjects: contracts, criminal law, evidence, real property, torts, and constitutional law.

Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the

PERCENT OF SUCCESSFUL CANDIDATES TAKING THE BAR EXAMINATION



The State Board of Law Examiners

Charles H. Dorsey, Jr., Esquire; Chairman, Baltimore City Bar
 William F. Abell, Jr., Esquire; Montgomery County Bar
 John F. Mudd, Esquire; Charles County Bar
 Robert H. Reinhart, Esquire; Allegany County Bar
 Jonathan A. Azrael, Esquire; Baltimore County Bar and Baltimore City Bar
 Pamela J. White, Esquire; Baltimore City Bar
 Christopher B. Kehoe, Esquire; Talbot County Bar

Results of examination given by the State Board of Law Examiners during Fiscal Year 1992 are as follows:

Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
JULY 1991	1,255	950 (75.7%)	1,074	879 (81.8%)
Graduates				
University of Baltimore	231	178 (77.0%)	192	159 (82.8%)
University of Maryland	222	171 (77.0%)	192	159 (82.8%)
Out-of-State Law Schools	802	601 (74.9%)	690	561 (81.3%)
FEBRUARY 1992	510	347 (68.0%)	293	240 (81.9%)
Graduates				
University of Baltimore	98	66 (67.3%)	50	45 (90.0%)
University of Maryland	56	33 (58.9%)	19	16 (84.2%)
Out-of-State Law Schools	356	248 (69.6%)	224	179 (79.9%)

*Percentages are based upon the number of first-time applicants.

National Conference of Bar Examiners.

Pursuant to the Rules governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, family law, Maryland civil procedure, property, and torts. (*At its meeting on April 8, 1992, the State Board of Law Examiners adopted an amendment to Board Rule 3, "Examination—Subject Matter", pursuant to the Board's rule making authority granted by Rule 20 of the Court of Appeals Rules Governing Admission to the Bar of Maryland. This amendment added *Family Law* to the list of essay examination sub-

jects enumerated in Board Rule 3 effective beginning with the July 1993 bar examination.) Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Rule 11 of the Rules Governing Admission to the Bar of Maryland adopted by the Court of Appeals of Maryland June 28, 1990, effective August 1, 1990, requires all persons recommended for bar admission to complete a course on legal professionalism during the period between the announcement of the examination results and the scheduled bar admission ceremony. This course is administered by the Maryland State Bar Association, Inc., and was implemented beginning with the February 1992 examinations. Applicants who

passed the February 1992 examinations took the course in May in Baltimore City and Rockville, Maryland.

The results of the examinations given during Fiscal Year 1992 are as follows: a total of 1,255 applicants sat for the July 1991 examination with 950 (75.7 percent) obtaining a passing grade, while 510 sat for the February 1992 examination with 347 (68.0 percent) being successful.

Passing percentages for the two previous fiscal years are as follows: July 1989, 70.5 percent and February 1990, 59.3 percent; July 1990, 71.5 percent and February 1991, 60.9 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 13 which governs out-of-state attorney applicants

who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Rules of Professional Conduct. The test is of three hours' duration and is administered on the first day of the regularly scheduled bar examination.

At the Attorney Examination administered in July 1991, 95 applicants took the examination for the first time along with 13 who had been unsuccessful on a prior examination, for a total of 108 applicants. Out of this number, 88 passed. This represents a passing rate of 81.4 percent.

In February 1992, 89 new applicants took the examination for the first time along with 16 applicants who had been unsuccessful on a prior examination, for a total of 105 applicants. Out of this number, 88 passed. This represents a passing rate of 83.8 percent.

Rules Committee

Under Article IV, Section 18 (a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State; and under Code, Courts Article, §13-301 the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee

on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure, which became effective July 1, 1984. Phase II of the project began with the adoption of Title 8 of the Maryland Rules, which became effective July 1, 1988. The Committee is continuing its work on Phase II, which involves the remainder of the Maryland Rules, Chapters 900 through 1300.

During the past year the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. The One Hundred Sixteenth Report contained proposed emergency amendments to Rules 8-201 and 8-204. The amendment to section (b) of Rule 8-201 was proposed for conformity with a revised schedule of fees for the appellate courts. The changes to the fee schedule were effective July 1, 1991. The amendment to Rule 8-204 was for conformity with Code, Courts Article, §12-302, as amended by Chapter 240, Laws of 1991. The new statute provided that review of an order of a circuit court revoking probation must be sought by application for leave to appeal. The cross reference following section (a) of the Rule was amended accordingly.

The Court of Appeals adopted

the emergency changes proposed in the 116th Report by Order of June 20, 1991, with an effective date of July 1, 1991. That Order was published in the Maryland Register, Vol. 18, Issue 14 (July 12, 1991).

The One Hundred Seventeenth Report, published in the Maryland Register, Vol. 18, Issue 17 (August 23, 1991) contained proposed new Rule 1-502 and proposed amendments to Rules 4-216, 4-247, 4-313, 4-342, and BV4. New Rule 1-502, Impeachment by Evidence of Conviction of Crime, had previously been submitted to the Court in the One Hundred Thirteenth Report. In light of its own concerns and comments received, the Court directed the Committee to reconsider the Rule and submit it again. The principal change was that the category of convictions that may be used to impeach a witness was expanded to include common law treason, murder, rape, or arson, crimes that would constitute theft under Code, Article 27, §342, and crimes having as an element larceny or breaking into the property of another.

Except for the amendment to Rule 4-247, the amendments to the Title 4 Rules were "house-keeping" in nature. Rule 4-247 was amended to abolish the requirement that a prosecutor's reasons for a nolle prosequi be made a part of the record.

New section c of Rule BV4 gives Bar Counsel the power, after a complaint is filed against an attorney, to issue a subpoena for documents and tangible things, subject to the prior approval of the Chair of the Attorney Grievance Commission.

The Court adopted the rules changes proposed in the 117th Report by Order of November 1, 1991, with an effective date of

January 1, 1992. That Order was published in the Maryland Register, Vol. 18, Issue 24 (November 29, 1991).

The One Hundred Eighteenth Report, published in the Maryland Register, Vol. 19, Issue 3 (February 7, 1992), contained two proposed new rules and a number of proposed amendments to existing rules. The most significant of these were (1) amendments to Rules 7.1, 7.2, and 7.4 of the Maryland Rules of Professional Conduct, imposing certain specific restrictions on advertising by lawyers; (2) new section (b) of Rules 2-101 and 3-101, modifying the doctrine of *Walko Corp. v. Burger Chef*, 281 Md. 207 (1977); and (3) new Rules 3-221 and

M.D.R. 1214, creating an interpleader procedure in the District Court and permitting the deposit of disputed moneys into court.

The Court of Appeals adopted the rules changes proposed in the 118th Report by Order of May 14, 1992. Judge Eldridge declined to approve the amendments to Rules 7.1 and 7.4 of the Rules of Professional Conduct, and filed a dissenting opinion. The effective date for all of the rules changes was July 1, 1992, but the changes to Rules of Professional Conduct 7.1, 7.2, and 7.4 apply to all advertising and communications published on television, radio, or through any other electronic medium on or after September 1, 1992, and to all other advertising

and communications published on or after January 1, 1993. The Order adopting the 118th Report was published in the Maryland Register, Vol. 19, Issue 11 (May 29, 1992).

The Evidence Subcommittee of the Rules Committee has been engaged since early 1989 in codifying Maryland evidence law. In April 1992, the Subcommittee published for circulation amongst the bench and bar a proposed new Title 5 of the Maryland Rules entitled Evidence. Consideration of the proposed rules by the full Committee began at the May 1992 Rules Committee meeting and is expected to continue throughout Fiscal Year 1993.

The Standing Committee on Rules of Practice and Procedure

Hon. Alan M. Wilner, Chairman, Court of Special Appeals

Hon. John S. Arnick
State Delegate, Baltimore County

Hon. Walter M. Baker
State Senator, Cecil County

Lowell R. Bowen, Esq.
Baltimore City Bar

Prof. Robert R. Bowie
Talbot County Bar, *Emeritus*

Albert D. Brault, Esq.
Montgomery County Bar

D. Warren Donohue, Esq.
Montgomery County Bar

Ms. Audrey B. Evans
Clerk, Circuit Court for Calvert County

Joseph G. Finnerty, Jr., Esq.
Baltimore City Bar

Hon. Clayton Greene, Jr.
District Court, Anne Arundel County

John O. Herrmann, Esq.
Baltimore City Bar

H. Thomas Howell, Esq.
Baltimore City Bar

Hon. G. R. Hovey Johnson
Circuit Court for Prince George's County

Harry S. Johnson, Esq.
Baltimore City Bar

Elizabeth L. Julian, Esq.
Assistant Public Defender, Baltimore City

Hon. Joseph H. H. Kaplan
Administrative Judge, Circuit Court for Baltimore City

James J. Lombardi, Esq.
Prince George's County Bar

Anne C. Ogletree, Esq.
Caroline County Bar

Hon. Kenneth C. Proctor
Circuit Court for Baltimore County (retired); *Emeritus*

Hon. Mary Ellen T. Rinehardt
District Court, Baltimore City

Linda M. Schuett, Esq.
Baltimore City Bar

Melvin J. Sykes, Esq.
Baltimore City Bar

Roger W. Titus, Esq.
Montgomery County Bar

Ralph S. Tyler, Esq.
Deputy Attorney General

Una M. Perez, Esq., Reporter
Sherie B. Libber, Esq., Assistant Reporter

Maryland State Law Library

The objective of the Maryland State Law Library is to provide support for all the legal and general reference research activities of the Court of Appeals, Court of Special Appeals, and other court-related units within the judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the Legislature in 1827, the library, currently staffed by 10 full-time employees and two part-time professional librarians, is governed by a Library Committee whose powers include appointment of the director of the library as well as general rule-making authority.

With a collection close to 300,000 volumes, this facility offers researchers access to three distinct and comprehensive libraries of law, general reference/government publications, and Maryland history and genealogy. Of special note are the library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries.

The library proceeded cautiously with few major enhancements to the materials collection over the year. Significant additions included a valuable gift of a large set of *Public Utility Reports* donated by a D.C. law firm. The library also began receiving statistical results of the 1990 Census from the Commerce Department on compact disk. With the passage of the Americans With Disabilities

Act (ADA) the library acquired a number of treatises and a loose-leaf reporting service on this important new law. Other resources of note that were added include the microfiche of probably the State's most complete file of *Maryland State Bar Association Ethics Opinions* and a subscription to the *Baltimore Sun* on CD Rom beginning with 1991. This new product now permits multi-access points for off line research of an important record of contemporary State history and current affairs. The library also completed an updating of its unique collection of over 100 Maryland municipal codes. Another new information "gateway" product that reference librarians began to use gratis is the on-line library catalog of the University of Maryland system (called Victor) and *UnCover*, an on-line table of contents file for journal articles in

over 10,000 periodicals dated from 1989 to date. Committee Bill files microfilmed by the Department of Legislative Reference continue to be acquired on a piecemeal basis. Currently, the library has a complete file for all bills introduced for the 1976-1988 legislative terms inclusive. Compact disk indexes to legal periodical literature and federal government publications also continue to be available on the library's public CD workstations. On-line cataloging and reclassification of the entire collection continue to be a high priority effort. In all, some 3,500 titles have been processed on OCLC during Fiscal Year 1992.

Technical assistance was provided to three circuit court libraries, Caroline, Frederick, and Harford counties, in the further development of their library services. Consultations included collection development, space planning, and information on computer-assisted legal research systems and library staffing.

The library played an important role in this past year's effort by the Chesapeake Bay Trust to encourage taxpayers to support the Chesapeake Bay and endangered species fund, by providing access to Audubon's *Birds of America* portfolios. The trust used four of the bird prints from this noteworthy set (that has been a part of the library's collection since 1832) to produce prints in the form of postcards.

The library made a few physical alterations. One was the installation of improved signage, which greatly facilitates navigating the collection, and the much needed



"Belted Kingfisher" print from John James Audubon's *Birds of America* Double Elephant Folio

addition of compact shelving in the court's basement area.

During the past year, the library continued to participate in RSVP (Retired Senior Volunteer Program) through Anne Arundel County. This program has provided the Library with a number of part-time volunteers, who have initiated and completed a number of important indexing and clerical projects.

Publications issued by the library include a guide to conducting legislative history research in Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland*, *A Checklist of Sources*; bibliographies or pathfinders entitled *Sources of Basic Genealogical Research in the Maryland State Law Library: A Sampler*; *Sources of Maryland Domestic Relations Law*, (Rev. 1990); *Researching the Bill of Rights in the Maryland State Law Library*, (Rev. 1991); *D.W.I. In Maryland: Selected Sources*, (Rev. 1991); *Recognizing and Reading Legal Citations*; and *Breaking Barriers: Access to Main Street: Pathfinder on the Americans With Disabilities Act P.L. 101-336*. Also included in the library's previous output are: *The U.S. and Maryland Constitutions: Some Basic Sources*; and *The Maryland Court of Appeals: A Bibliography of Its History*. An acquisitions list is now distributed quarterly.

Members of the staff continue to be active on the lecture circuit, addressing high school and college classes, as well as professional organizations on the basics of legal research techniques. Staff has appeared before genealogy societies to discuss the collections and services available from the library. Twenty guided tours were conducted by reference staff during the year for students and foreign dignitaries.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday, Wednesday, Friday, 8:30 a.m. - 4:30 p.m.; Tuesday and Thursday, 8:30 a.m. - 9:00 p.m.; and Saturday, 9:00 a.m. - 4:00 p.m.

Summary of Library Use Fiscal 1992	
Reference inquiries	31,100
Volumes circulated to patrons	4,900
Interlibrary loan requests filled	2,559
In-Person Visitors	36,977

Attorney Grievance Commission

The Attorney Grievance Commission was established in 1975 to supervise and administer the discipline and inactive status of Maryland lawyers. An amendment, effective January 1, 1987, enlarged the definition of an "attorney" subject to its jurisdiction to nonmembers of the Maryland Bar who engage in the practice of law in Maryland.

Effective January 1, 1989 the Court of Appeals adopted the BU Rules. Those rules require all attorneys to maintain a trust account for the deposit of funds belonging to others. Such accounts may be maintained only with authorized financial institutions which enter into an agreement with the Commission to report overdrafts or dishonored instruments in an attorney's trust account unless the institution determines that the overdraft was in error or the full amount of the dishonored instrument has been paid to the person entitled to payment after ten banking days have expired.

A new rule, effective January 1, 1992, BV4c, authorized Bar Counsel, the principal executive officer of the disciplinary system, to issue a subpoena to compel the production of designated documents or other tangible things with the prior written approval of the Chair or Acting Chair of the Commission.

A disciplinary fund was established by rule of the Court of Appeals to pay Commission staff as well as other Commission expenses. Effective July 1, 1990, an attorney, as a condition precedent to the practice of law, is assessed the sum of \$65.00 for the disciplinary fund. The budget for the Commission is approved prior to the commencement of the fiscal year by the Court of Appeals. The Court also authorized late fees for attorneys who neglect their payment obligations. Late fees are used for the administrative costs involved in billing and maintenance of the Clients' Security Trust Fund list during the fiscal year.

The Commission consists of eight lawyers and two nonlawyers appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment immediately following the expiration of that member's term. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation.

The Commission, subject to approval by the Court of Appeals, appoints a lawyer to serve as Bar Counsel. The Commission supervises the activities of Bar Counsel and staff which include investigation of all matters involving possible misconduct, prosecution of disciplinary proceedings, investigation of unauthorized practice of law, and the overdraft notifications of escrow accounts.

Bar Counsel's staff includes a Deputy Bar Counsel, five Assistant Bar Counsel, five Investigators, an Office Manager, and seven Secretaries.

The Commission also investigates claims filed with Maryland's Client Security Trust Fund to determine which, if any, should be paid.

The Commission meets monthly, receives reports on receipts and expenditures, disciplinary statistics, the flow of complaints at all stages within the disciplinary process, and reviews personnel performance.

A grievance which is not screened out or dismissed is referred for a hearing by members of the Inquiry Committee, all of whom are volunteers (2/3 lawyers and 1/3 nonlawyers), each appointed for a three year term and eligible for reappointment. The lawyer members are selected by

local bar associations. Nonlawyer members are selected by the Commission. Maryland Rule BV5c permits the Commission to determine the number of Inquiry Committee members reasonably necessary to conduct its disciplinary investigations and hearings. On July 1, 1992 there were 270 attorneys appointed to the inquiry committee and 129 nonlawyers.

A Review Board consists of eighteen persons, fifteen of whom are attorneys and three nonlawyers. Members of the Review Board serve three-year terms and are ineligible for reappointment. The Board of Governors of the Maryland State Bar Association selects the attorney members of the Review Board. The Commission selects the nonlawyer members from the State at large, after soliciting input from the Maryland State Bar Association and

the general public in a manner deemed appropriate by the Commission. Judges are not permitted to serve as members of the Inquiry committee or the Review Board. The Board reviews matters referred to it under the BV Rules by an Inquiry Panel. Except for designated criminal convictions, it is the Review Board which directs Bar Counsel to file public charges in the Court of Appeals against an attorney.

The Commission received a total of 1,433 matters classified as *inquiries* in Fiscal Year 1992 compared to 1,424 in Fiscal Year 1991. Formal docketed *complaints* increased dramatically to a new high of 426 compared to 341 from Fiscal Year 91. Total for the two reflect an increase (from 1765 to 1859) of approximately 5.5 percent. Pending *complaints* at the end of Fiscal Year 1992 were substantially greater than

5 Year Summary of Disciplinary Action

	FY 88	FY 89	FY 90	FY 91	FY 92
Inquiries Received (No Misconduct)	1,165	1,260	1,334	1,424	1,433
Complaints Received (Prima Facie Misconduct Indicated)	273	295	336	341	426
Totals	1,438	1,555	1,670	1,765	1,859
Complaints Concluded	302	331	357	313	314
Disciplinary Action by No. of Attorneys:					
Disbarred	3	3	3	7	1
Disbarred by Consent	7	7	19	14	10
Suspension	13	11	19	9	17
Public Reprimand	3	2	4	1	1
Private Reprimands (by Review Board and Bar Counsel)	7	12	7	15	20
Dismissed by Court	2	0	4	1	1
Inactive Status	1	1	4	0	4
Petition for Reinstatement (Granted)	0	5	0	0	3
Petition for Reinstatement (Denied)	3	1	1	3	3
Resignations	0	0	1	0	0
Resigned with Prejudice, Without Right to be Readmitted	0	0	0	0	0
Total No. of Attorneys Disciplined	39	42	62	50	60

at the end of Fiscal Year 1991. The increase of 114 complaint files was attributable, in part, to three attorneys, one of whom has 29 complaint files pending against him; another 18 complaint files; and the third, 12.

The number of lawyers disbarred was 11, compared to 21 last year. Suspensions by the Court of Appeals increased from 9 to 17. The Review Board (including those recommended by Bar Counsel) issued a total of 20 reprimands compared to 15 last year.

Bar Counsel and staff appeared before various groups during the year to explain the disciplinary system and areas leading to client complaints. Two Assistant Bar Counsel participated in a new professionalism course, a prerequisite to admission to the Maryland Bar. Articles dealing with discipline or ethical issues appear in each issue of the *Maryland Bar Journal*. Melvin Hirshman, Bar Counsel, continues his activities with the National Organization of Bar Counsel as a past president of that organization. He served as a faculty member of the American Bar Association professionalism workshop in June 1992. His presentation, designed for new disciplinary counsel, covered these areas: Use by a respondent attorney of the Fifth Amendment; dealing with disciplinary complaints of attorney incompetence; and complaints about attorney advertising.

The Commission continues to provide financial support to the Lawyer Counseling Program of the Maryland State Bar Association. An increasing number of complaints result from attorneys who have an addiction to alcohol or drugs; mental illnesses; gambling, or poor office procedures.

The counseling program is designed to aid in the detection, help, and prevention of these problems.

The Commission maintains a toll-free number for incoming calls from within Maryland as a convenience to complainants and volunteers who serve in the system (800-492-1660) as well as a fax machine number (410-987-4690).

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965 (Code, Article 10, Section 43). The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

Seven trustees are appointed by the Court of Appeals from the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court

of Appeals from the State at large. Trustees serve on a staggered seven-year bases.

The Fund began its twenty-sixth year on July 1, 1991 with a balance of \$2,016,643, as compared to a balance of \$1,925,754 for July 1, 1990.

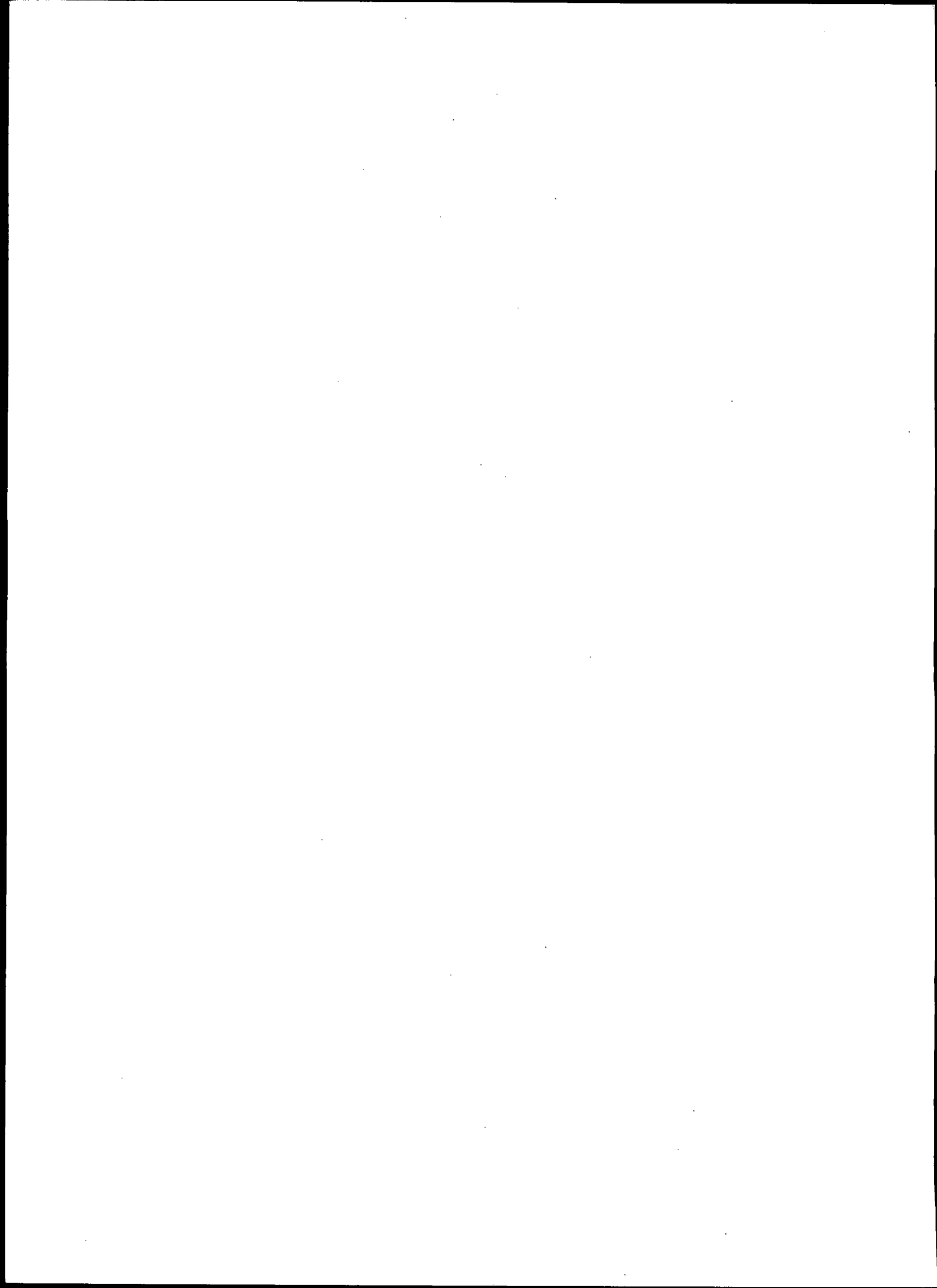
The Fund ended its twenty-sixth year on June 30, 1992 with a balance of \$1,962,112, as compared to a balance of \$2,016,643 for June 30, 1991.

During Fiscal Year 1992 the trustees met on five occasions and at their meeting of July 11, 1991, they elected the following members to serve as officers through the fiscal year ending June 30, 1992: Victor H. Laws, Esq., Chairman; Carlyle J. Lancaster, Esq., Vice Chairman; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer.

During the fiscal year, the trustees paid 41 claims totalling \$564,735. Additionally, since the close of the fiscal year, the trustees have approved payment of 10 claims totalling \$43,641 leaving 59 pending claims with a current liability exposure approximating \$2,215,000.

During the fiscal year ending June 30, 1992, the fund derived the sum of \$417,341 from assessments and had interest income in the amount of \$162,362. On June 30, 1992 there were 21,602 lawyers subject to annual assessments. Of this number, 93 attorneys failed to pay and were decertified. In accordance with the Maryland Rules of Procedure, on May 12, 1992 the Court of Appeals entered its Order whereby the non-paying attorney's names were stricken from the list of practicing attorneys in the State of Maryland.

JUDICIAL CONFERENCES



Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 1226, which directs it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of 240 judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City, and the District Court of Maryland. The Conference meets annually in plenary session with the Chief Judge of the Court of Appeals as chairman. The State Court Administrator serves as executive secretary. Between annual sessions, Conference work is conducted by an Executive Committee and by a number of other committees covering various subjects relevant to the overall operation of the Judiciary. These committees are established by the Executive Committee in consultation with the Chief Judge. The Administrative Office of the Courts provides staff support to each Conference committee.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals serves as an ex-officio nonvoting member. The Committee elects its own chairman and vice-chairman. Its major duties are to "perform the functions of the Conference" between plenary sessions and to submit "recommendations for the improvement of the administration of justice" in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and to the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge of the Court.

At its first meeting in September 1991, the Executive Committee elected the Honorable Robert F. Fischer, Associate Judge of the Court of Special Appeals, as its chair, and the Honorable Theresa A. Nolan, Associate Judge of the District Court for Prince George's County, as its vice-chair.

During the past year, the Executive Committee met on a bi-monthly basis except during the summer. Over the course of the

year, the Committee reviewed the work of the various committees and also considered certain issues on its own volition. Some matters received Committee attention and were subsequently referred to the General Assembly for action.

1992 Meeting of the Maryland Judicial Conference

Due to severe fiscal and other constraints faced by the Judiciary and the State of Maryland this year, a one-day Judicial Conference was held paid for by the judges with no expense incurred by the State. The one-day Conference was held on May 2, 1992, at a State-owned facility, the People's Resource Center, in Crownsville, Maryland.

The meeting was called to order by Judge Fischer, Chair of the Executive Committee, with Chief Judge Robert C. Murphy welcoming the judges. The morning was devoted to an educational session with Judges Diana G. Motz, Charles E. Moylan, Jr., and James P. Salmon and Albert D. Brault, Esquire, making presentations to the membership.

The afternoon session consisted of the business meeting. The reports of the Conference committees were voted on followed by a full business agenda. Topics discussed included the Americans With Disabilities Act, legislative update, budgetary matters, new judgeship needs, management of litigation report, judicial compensation, and matters affecting Circuit Court and District Court judges. The chair

of the Judicial Ethics Committee discussed briefly a proposed revision to the Canons of Judicial Ethics which dealt with membership in clubs which practice discrimination. After much discussion the proposed revision passed.

The Chief Judge gave recognition to each of the judges who had either resigned, retired, or died since the last Judicial Conference. Resolutions honoring each judge were prepared and formally adopted by the Conference.

As the last item of business, a video was shown depicting a Montgomery County court program that educated young people about the realities of drug and alcohol abuse. The purpose of the video was to make judges aware of how the youth program is conducted.

Americans with Disabilities Act (ADA)

The Americans with Disabilities Act of 1990 (ADA) seeks to eradicate discrimination in the areas of employment, public accommodations that affect commerce, telecommunications, and conduct of State and local governmental activities.

On November 26, 1991, the Executive Committee of the Maryland Judicial Conference authorized the creation of the Ad Hoc Committee on the Americans with Disabilities Act (ADA Committee), for the purposes of identifying areas of potential concern in the Judicial Branch, for recommending priorities with respect to addressing problems, and for recommending possible solutions to the problems.

The ADA Committee is chaired by Judge Robert L. Karwacki of the Court of Appeals and includes: Judge Joseph P.

McCurdy, Jr., of the Baltimore City Circuit Court; Judge Gerard F. Devlin of the District Court 5th District; Melvin Mintz, Baltimore County Councilman, representing the Maryland Association of Counties; Allan B. Blumberg, Esq., Counsel for the Department of General Services; David R. Durfee, Jr., Esq., Assistant Attorney General assigned to the Department of Personnel; Jonathan Magruder, Staff Associate with the Maryland Municipal League; Carolyn Morris, Assistant Chief Clerk of the District Court, Personnel; Joseph Pokempner, Esq., Whiteford, Taylor & Preston; Sally Rankin, Director of Personnel, Administrative Office of the Courts; Edward Utz, Chief Clerk of the District Court; and Marian S. Vessels, Director, Governor's Committee on Employment of People with Disabilities.

The ADA Committee began its task by asking individuals with disabilities and representatives of those individuals to outline problems encountered in connection with the Judicial Branch. At meetings on February 18 and March 24, the ADA Committee heard from six individuals on problems arising directly from hearing, mobility, and sight impairments and indirectly from attitudes toward individuals with disabilities.

Representatives from the National Center for State Courts (NCSC) also addressed the ADA Committee on possible participation of the Maryland Judiciary in a grant program awarded to NCSC by the United States Department of Justice. The ADA Committee also has had the benefit of the expertise of a doctor of audiology on assistive devices for hearing and speech impairments.

At the April 21, 1992 meet-

ing, the ADA Committee considered the information that it had obtained to date and prepared an interim report. That report, including 10 recommendations, was fully endorsed by the Executive Committee at a meeting on April 28, 1992.

The first recommendation provided, subject to the approval of the Chief Judge of the Court of Appeals, for each county and district administrative judge to designate, for each court facility or complex under the jurisdiction of the judge, an ADA coordinator to whom complaints under the ADA can be addressed for resolution in accordance with the grievance procedures. This recommendation, and the ancillary recommendation for publication of the names of the coordinators, have been implemented.

The third recommendation provided for participation in a sensitivity training session by coordinators who had not previously done so. Arrangements for implementation of this recommendation are being made.

The fourth recommendation called for complaints with regard to employment, whether in recruitment, selection, promotion, or disciplinary action, and with regard to discriminatory actions of specific employees to be referred to the ADA coordinator for mediation or to be handled in accordance with the current grievance procedures regarding employees.

The Administrative Office of the Courts was directed to develop, as soon as possible, a standard procedure for the reporting of the other complaints and their disposition to the Administrative Office of the Courts, in a manner that ensures that the ADA Committee is apprised



Courtroom - Washington County Circuit Court

of recurring problems that may require Statewide resolution or affect policy matter. This recommendation has been implemented.

The fifth recommendation provided for each ADA coordinator to evaluate the physical facilities of the court facilities for which the coordinator is responsible, in accordance with the Uniform Federal Accessibility Standards (UFAS) checklist, and to recommend to the ADA Committee interim transition measures, for compliance with a July 26 deadline. This recommendation is being implemented.

Under the sixth recommendation, the ADA Committee, on behalf of the Maryland Judiciary, was to pursue an offer of the National Center for State Courts to provide architectural services to identify cost-effective means to correct accessibility problems unique to courts, but this has proven not to be feasible.

The seventh recommendation provides for each ADA coordina-

tor to evaluate the services at the court facilities for which the coordinator is responsible and to transmit the evaluations and recommendations to the ADA Committee. This recommendation is to be implemented by August 1992.

The eighth recommendation provides for consideration of a rule to require a party to notify the court as to the need for accommodations for any party or witness, in order to reduce delay and inconvenience to all parties and participants in a trial and to allow better allocation of resources.

Related recommendations called for the Administrative Office of the Courts and District Court Personnel Offices to continue their efforts to provide to personnel training on the requirements of the ADA and on issues of sensitivity with respect to individuals with disabilities, with particular emphasis on supervisory personnel and staff that deal with the general public. The pos-

sibility of developing a training film was to be investigated also.

County personnel in the circuit courts were to receive training, as appropriate, through the county personnel office or, if that office is not providing training, through the Administrative Office of the Courts should provide assistance, subject to the constraints of available resources. These recommendations are ongoing in nature and are being implemented.

The ADA Committee anticipates meeting once a month through January 1993, at which time, by federal law, the self-evaluation must be completed by State and local governments. The ADA Committee then will consider whether further meetings are needed.

Among the other activities of the ADA Committee and staff of the Committee and Judiciary personnel are participation in federally funded Conferences in Florida and New Jersey on the needs of the elderly in connection with court services, including the requirements of the ADA, participation in a panel discussion of the ADA at the Maryland State Bar Association annual meeting, and attendance of a symposium on the ADA cosponsored by the EEOC and the Maryland State Bar Association's Labor Law Section and of various other seminars and training sessions.

Conference of Circuit Judges

The Conference of Circuit Judges makes recommendations on the administration of the circuit courts pursuant to Maryland Rule 1207. Its sixteen members include the eight Circuit Administrative Judges and one judge elected from each of the eight cir-

cuits for a two-year term. The chair is also elected by the Conference for a two-year term. In Fiscal Year 1992, the Conference met four times. The following highlights some of the important matters considered by the Conference.

1. Endorsed Revision to Uniform Commitment Record for Use Statewide.

The Secretary of the Department of Public Safety and Correctional Services requested the Judiciary to make changes to the Uniform Commitment Record to eliminate ambiguous language in determining credit for time served and with respect to the imposition of concurrent and consecutive sentences. A joint effort undertaken between the Judiciary and the Department, revised the form which was endorsed for use statewide by the Conference. It also implements a recommendation by the Conference that allows judges to select an option as to when a probation period begins when imposing a split sentence.

2. Guidelines for Medical Intervention in Adult Guardianship Cases.

The Conference expressed serious concern about the lack of guidelines for judges in adult guardianship cases when petitions are filed for medical intervention to perform a specific medical procedure or remove a life-support system. Present law does not provide any assistance. The Conference formed a committee to develop such guidelines. They are still under study and will be presented to the Conference in the next fiscal year.

3. Endorsed Revision to the Guidelines for the Collection of Fines, Costs, Restitution and Attorney's Fees.

After extensive discussion, the Conference approved a revision

to the guidelines adopted in 1978 for the collection of certain fees, fines and costs. The request was initiated by the Division of Parole and Probation which is authorized to collect a \$25 supervision fee from every individual placed on probation and supervised by it. After many months of discussion, the Conference endorsed the revision which included a reordering of priorities for the collection of these fees and costs.

4. Endorsed Proposal to Expedite the Management of Civil Litigation.

The Conference endorsed unanimously a report of an Ad Hoc Committee on the Management of Litigation. The membership consists of representatives from the Court of Appeals' Rules Committee, the State Bar Association, the circuit courts, and others. The report reflects the desire to improve the management of litigation in the circuit courts in a cost-effective, practical, and fair manner. The report focuses on changes in rules and court practices in civil proceedings. The report has also been endorsed by the Court of Appeals, the State Bar Association, and other groups. It will be implemented over the course of the next several months.

5. Court-Ordered Fingerprinting Procedures.

The Conference again had before it the problems which arise when defendants are not fingerprinted pursuant to Article 27, Section 747A. Compliance with court-ordered fingerprinting statute is an issue that continues to be raised in an audit of the Criminal Justice Information System in Maryland. The Conference formed a subcommittee to address the problems and it will report back to the Conference in

the next fiscal year.

6. Legislation.

The Conference expressed its support and opposition to various legislative proposals. It supported all Maryland Judicial Conference legislation. In addition, the Conference also recommended an amendment to the Family Law Article concerning criminal background checks in adoption cases which would require such checks for all adoptive parents. Judicial Conference legislation supported by the Conference and enacted is included in the section of this report entitled "1992 Legislation Affecting the Courts".

7. Other Matters.

There were many other matters considered and discussed by the Conference during the period covering different aspects of the administration of the circuit courts. This report is only a summary of some of the matters considered.

Administrative Judges Committee of the District Court

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court in 1971.

Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial Proceedings Article, the District Court is a single, statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional ac-

countability to the Chief Judge of the Court of Appeals. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective districts.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, ex-officio, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal Year 1992, the Committee acted on more than

half a hundred items. Among the more significant were:

(1) Established uniform procedure relating to same day payment of routine traffic fines in cases where judge has granted temporary deferred payment;

(2) Developed a uniform charge for certified or true test copies of documents;

(3) Developed procedure for collection of costs for cassettes and transcripts provided to attorneys;

(4) Proposed procedure for processing abatement of nuisance actions where property used for controlled dangerous substance offenses;

(5) Reviewed processing of sub curia reports;

(6) Established a filing fee for a petition to extend the time for a bond forfeiture or petition to strike a bond forfeiture;

(7) Established filing fee for the expungement of records;

(8) Reviewed and revised District Court dockets to conform

to bar coding;

(9) Reviewed and revised language on certain trial date notices;

(10) Instituted change in trial date notices to eliminate excessive mailings in computerized case processing;

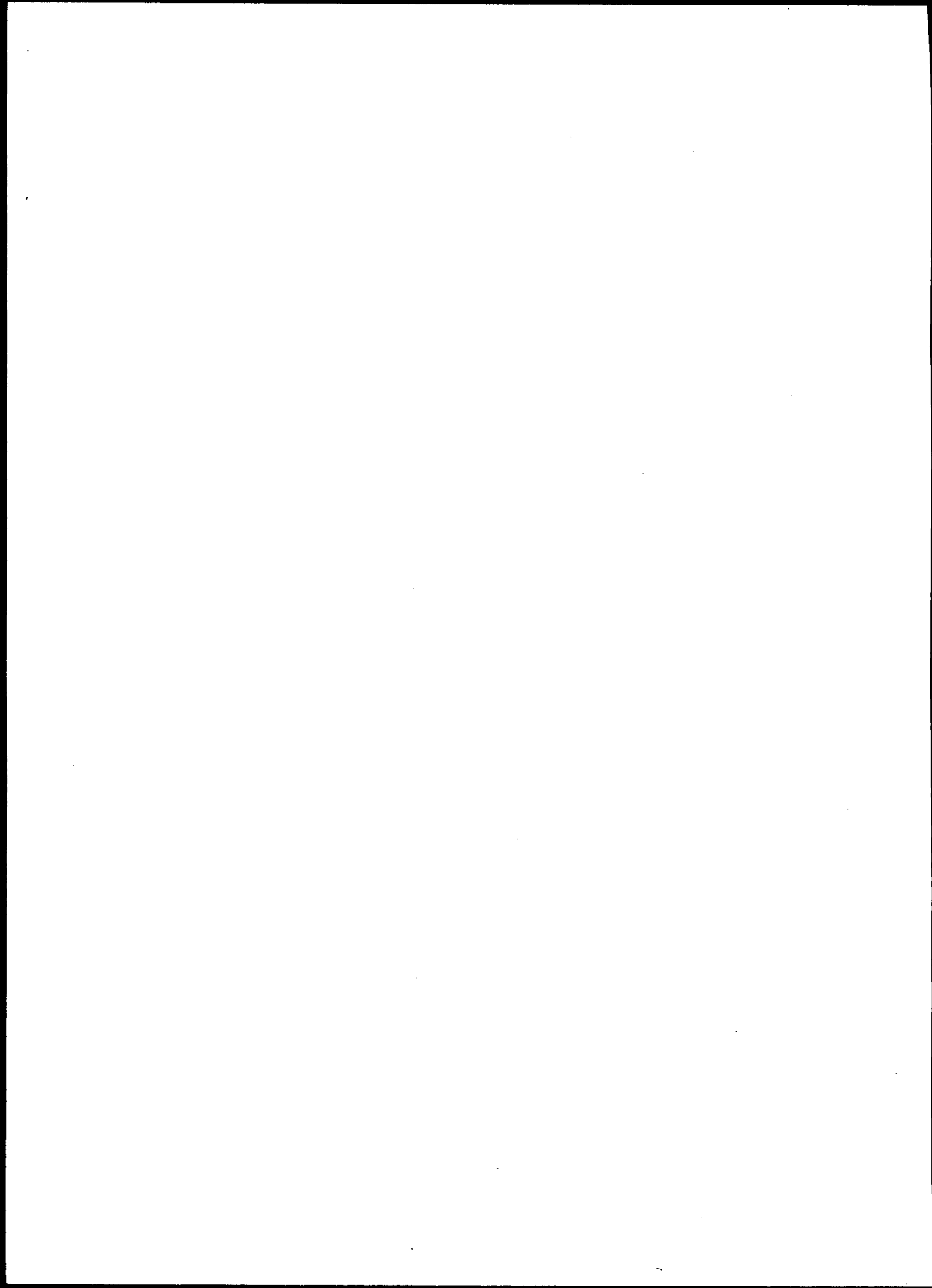
(11) Developed guidelines to conform to the 40-hour workweek and mandatory furloughs;

(12) Reviewed procedures pertaining to the invalidation and destruction of warrants;

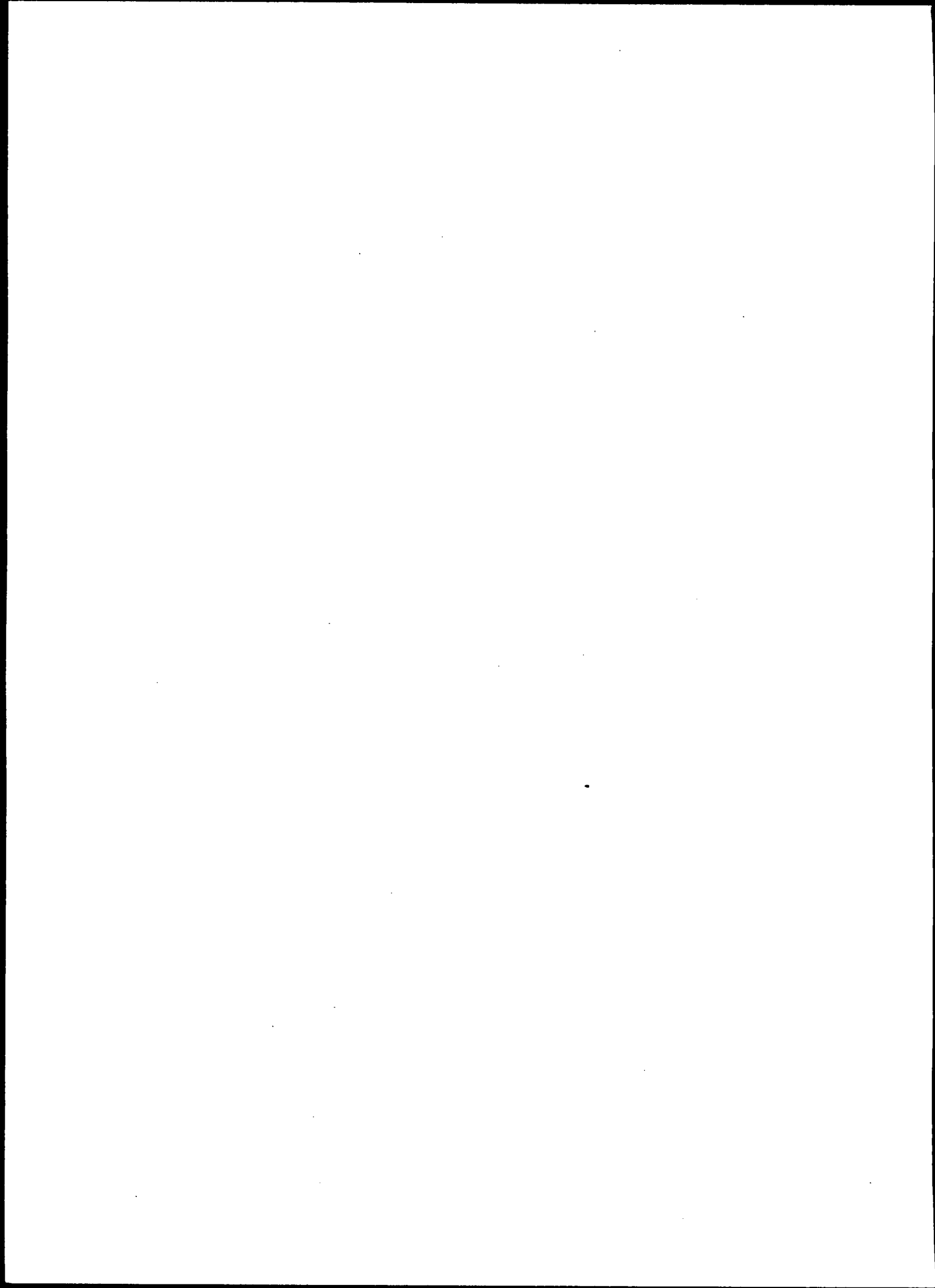
(13) Reviewed procedures and made recommendations concerning various proposed Rule changes;

(14) Recommended order of priority in re fines, costs, restitution and supervision fees;

(15) Reviewed and made recommendations to the Executive Committee of the Maryland Judicial Conference and to the General Assembly on various bills affecting the operation and administration of the District Court.



APPOINTMENT,
DISCIPLINE,
AND
REMOVAL
OF JUDGES



Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how to exercise this discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial se-

lection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971. However, in 1988, the Judicial Nominating Commissions were restructured in such a way so as to allow each county with a population of 100,000 or more to have its own Trial Courts Nominating Commission. Out of that restructuring came fourteen commissions, known as Commission Districts, in addition to the Appellate Judicial Nominating Commission. Since that time, a fifteenth Commission District was added in Charles County as a result of increased population in that jurisdiction. Each judicial vacancy filled pursuant to the governor's appointing power is filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by governor William Donald Schaefer, effective February 1, 1991, each of the sixteen commissions consists of six lawyer members elected by other lawyers within designated geographical areas;

six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The Administrative Office of the Courts acts as a secretariat to all commissions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places announcements in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and the local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After discussion of the candidates, the commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot. No Commission may vote unless at least 10 of its 13 members are present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. The list is then forwarded to the Governor who is bound by the Executive Order to make an appointment from the Commission list.

There were fifteen vacancies for judgeships during Fiscal Year 1992, a decrease of 51.6 percent

Judicial Nominating Commission Statistics Judicial Vacancies and Nominees from Fiscal 1984 to Fiscal 1992						
		Court of Appeals	Court of Special Appeals	Circuit Courts	District Court	TOTAL
FY 1984	Vacancies	0	2	12	10	24 ^a
	Applicants	0	27	91	195	313
	Nominees	0	12	29	37	78
FY 1985	Vacancies	1	1	9	7	18 ^b
	Applicants	3	5	79	122	209
	Nominees	3	3	24	34	64
FY 1986	Vacancies	0	1	12	11	24
	Applicants	0	5	69	125	199
	Nominees	0	4	22	34	60
FY 1987	Vacancies	2	1	5	7	15 ^d
	Applicants	11	6	31	102	150
	Nominees	7	4	13	19 ^c	43
FY 1988	Vacancies	0	1	7	6	14 ^e
	Applicants	0	15	57	60	132
	Nominees	0	6	20	24	50
FY 1989	Vacancies	0	0	13	14	27 ^f
	Applicants	0	0	101	172	273
	Nominees	0	0	36	48	84
FY 1990	Vacancies	1	1	12	9	23 ^g
	Applicants	6	16	83	99	204
	Nominees	0	5	43	28	76
FY 1991	Vacancies	2	3	10	16	31 ^h
	Applicants	18	33	53	197	301
	Nominees	7	12	21	59	99
FY 1992	Vacancies	0	0	10	5	15 ⁱ
	Applicants	0	0	48	49	97
	Nominees	0	0	27	15	42

NOTE: Because of the pooling arrangements available under the Executive Order since Fiscal Year 1981, the number of applicants and nominees may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

^a Six vacancies that occurred in FY 84 were not filled until FY 85.

^b Two vacancies that occurred in FY 85 were not filled until FY 86.

^c A meeting for one District Court vacancy was not held until FY 88.

^d Three vacancies that occurred in FY 87 were not filled until FY 88.

^e One vacancy that occurred in FY 88 was not filled until FY 89.

^f One vacancy that occurred in FY 89 was not filled until FY 90.

^g Four vacancies that occurred in FY 90 were not filled until FY 91. A meeting for one District vacancy was not held until FY 91.

^h Four vacancies that occurred in FY 91 were not filled until FY 92. Meetings for three vacancies that occurred in FY 91 were held in FY 92.

ⁱ At the close of FY 92, a meeting had not been held for one District and four circuit court vacancies. Several vacancies were still awaiting appointments.

Judicial Nominating Commissions as of August 12, 1992

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Ronald A. Baradel, Esq.	Albert D. Brault, Chair	
David G. Borenstein, M.D.	Albert J. Matricciani, Jr., Esq.	Roger W. Titus, Esq.
Judith R. Catterton, Esq.	R. Kathleen Perini	Peter Ayers Wimbrow, III, Esq.
Clarence Louis Fossett, Jr., Esq.	Shirley Phillips	Vacancy
Sylvia Gaither Garrison	Harry Ratrie	Vacancy
	Kenneth R. Taylor, Jr.	

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Kathleen L. Beckstead, Esq.	James Harrison Phillips, III, Esq.	Vacancy
Connie L. Godfrey, Esq.	Vacancy	Vacancy
Joseph G. Harrison, Jr., Esq.	Vacancy	Vacancy

Commission District 2

(Caroline, Cecil, Kent, Queen Anne's, and Talbot Co.)

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Patricia A. Dart, Esq.	Vacancy	Vacancy
John F. Hall, Esq.	Vacancy	Vacancy

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T. Scott Cushing	Michael E. Leaf, Esq.	Marjorie Eloise Warfield

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from the thirty-one judicial vacancies of the previous fiscal year. The vacancies included ten from the circuit courts and five vacancies from the District Court. Comparative statistics with respect to vacancies and the number of applicants and nominees are reflected on the accompanying table. In reviewing the number of applicants and nominees, it should be noted that under the Executive Order, a pooling system is used. Under this system, persons nominated for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The table, which shows only new applicants and nominees, does not reflect these pooling arrangements.

Appointments to circuit court vacancies occurring in Fiscal Year 1992 included three incumbent judges, two private attorneys, and one attorney from the

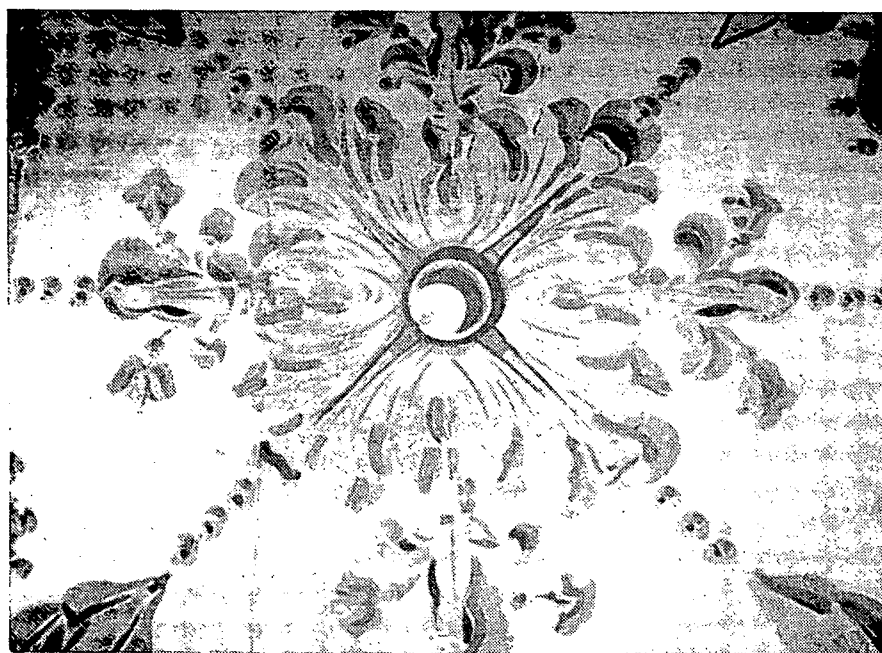
public sector. An attorney from the public sector and a private attorney were chosen to fill two of the District Court vacancies. At the time of this analysis, the remaining three vacancies in the circuit courts, as well as three District Court vacancies which occurred during Fiscal Year 1992, were still awaiting appointments.

Removal and Discipline of Judges

Judges of the appellate courts run periodically in noncompetitive elections. This process is often referred to as "running on their record." A judge who does not receive a majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular contested elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges do not participate in elections, but face Senate reconfirmation

every ten years. A District Court judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime...."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the charges against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity...."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever ... disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a nolo plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.



Artwork on Ceiling of Courtroom in Allegany County

Despite the availability of other methods, only the fifth procedure has actually been used within recent memory. The use of this method involves an analysis and recommendation by the Commission on Judicial Disabilities. Since this Commission also has the power to recommend discipline less severe than removal, it is useful to examine that body.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows: the Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand or merely a warning.

The Commission on Judicial Disabilities serves the public in a

variety of ways. Its primary function is to receive, investigate and hear complaints against members of the Maryland judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case or some judicial ruling. While some of these complaints may not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. Thus the Commission in an informal fashion offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered thirty-two formal complaints—of which three were initiated by practicing attorneys, three by the Commission acting on its own motion and the remainder by members of the public. Some complaints were directed simultaneously against more than one judge and sometimes a single jurist was the subject of numerous complaints. In all, twenty-three judges at the Circuit Court level, six District Court judges, and two Orphans' Court judges were the subjects of complaints.

This year, litigation over some domestic matter (divorce, alimony, custody) precipitated some thirteen complaints, criminal cases accounted for ten, and the remainder resulted from conventional civil litigation or the alleged prejudice or improper demeanor of some jurist.

The Commission deals with formal complaints in a variety of

ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, several judges were requested to appear before the Commission to defend charges against them. Those complaints were usually disposed of by way of discussion with the jurist involved or by a private warning. Several formal complaints remain open awaiting plenary hearings. In most instances, however, complaints were not serious enough to warrant personal appearances by judges. The charges were dismissed preliminarily either because the accusations leveled were not substantiated or because, in Commission members' view, the conduct did not amount to a breach of judicial ethics.

Finally, pursuant to Rule 1227 of the Maryland Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential information concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members from around the State are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least fifteen years, and one lay person representing the general public.

1992
LEGISLATION
AFFECTING
THE COURTS

1992 Legislation Affecting the Courts

The 1991 special sessions and the 1992 extended, regular session and special session focused on the fiscal problems of the State, and fiscal considerations affected all legislative proposals. Nonetheless some nonfiscal measures of significance to the Judiciary were enacted. Those enactments, as well as selected unsuccessful proposals, are outlined below. A more detailed summary is available from the Administrative Office of the Courts.

Judges

Due to fiscal constraints, no new judgeships were requested by the Judiciary. However, the Baltimore City Administration sought, through House Bill 1562, to increase the number of resident judges in the City and to require that 2 serve solely as juvenile court judges. This bill failed, but a 1-year grant for the Juvenile Court was provided.

A Judicial Conference measure, Chapter 87 allows recalled judges in Charles, Harford, and Prince George's Counties to sit for 180 days, instead of 90 days, thereby making the limit uniform Statewide.

Chapter 156 codifies practice by which the Chief Judge of the Court of Appeals has temporarily assigned an orphans' court judge to sit for another who is unable to serve.

Court Administration

Continuances

Chapter 278 requires continu-

ances to accommodate legislators and desk officers during an extraordinary session.

Costs and Fees

Appearance fees must be prepaid in civil and appellate cases in all counties where these fees are collected, including now Dorchester County, under Ch. 250. Except in Baltimore County, the fee is \$10 regardless of the type of case. Chapter 291 affects disbursement of the fees in Queen Anne's County.

Chapter 269 continues, for fiscal year 1993, the additional \$5 imposed as court costs in criminal cases other than nonincarcerable motor vehicle offenses.

Chapter 329 enables a court to impose costs for service by a private process server, at the rate set by statute for sheriffs.

Interpreters

Under Ch. 293, a defendant unable to understand or communicate in a criminal or commitment proceeding must be afforded an interpreter even if the inability is not disability related.

Personnel

Chapter 169 transfers the Domestic Relations Division from the office of the Clerk of the Baltimore City Circuit Court and certain staff from the State's Attorney's office to the Child Support Enforcement Administration.

The Governor vetoed House Bill 1567, which would have increased the retirement allowance for certain State employees with 25 years of service and required

abolition of 60 percent of the PIN numbers of those retiring employees. Veto of that measure activated § 32 of Chapter 64 Budget Bill mandating abolition of at least 600 positions.

Records

Chapter 100 limits inspection of charging documents, traffic accident reports, and certain traffic citations when the purpose of inspection is to solicit or market legal services.

Jury Trials

Identical Constitutional amendments would increase, from \$500 to \$5000, the minimum amount in controversy required for a jury trial in a civil action. Chapters 205 and 206. See also Ch. 95.

Chapters 85 and 204 would amend the Constitution to allow fewer than 12 but at least 6 jurors in a civil action. Contingent on ratification of the amendment, Ch. 203 sets the number of jurors at 6 and reduces the names needed for the master jury wheel and jury panels.

Various measures to curtail jury trial prayers in criminal cases, both through Constitutional amendments and reduction of statutory penalties, failed.

Criminal Law

Two Judicial Conference measures amend the death penalty statutes. Chapter 244 conforms the statutes to rules and caselaw, which require aggravating circumstances to outweigh mitigating circumstances. Chap-

ter 590 repeals a requirement for the Court of Appeals to do a proportionality review.

Another Judicial Conference measure, Chapter 535, bases the allowable penalties for the crime of malicious destruction of property on the amount of damage, rather than the value of property damaged. This change is not reflected in Chapter 283, which allows use of a citation to charge malicious destruction of property valued at under \$300, as well as disturbance of the peace, disorderly conduct, or misdemeanor theft.

JR 5 urges the Sentencing Guidelines Advisory Board to include correctional and law enforcement officers in the category of specially vulnerable victims.

Federal Public Law 101-516 will withhold highway funds from any state that neither authorizes suspension of driver's licenses for drug convictions nor affirmatively opposes suspension. JR 4 stated the Legislature's opposition, but the Governor declined to sign.

Domestic Violence

Chapter 65 extensively rewrites the domestic violence statute. Among the changes are an expanded definition of "abuse", eligibility for protection for former spouses and cohabitants, and greater eligibility for others. Chapter 65 also expands the scope of temporary ex parte orders, including emergency financial assistance, and protective orders.

Family Law

Adoptions and Guardianships

Among numerous changes to

the adoption laws affected by Ch. 446 is a requirement for a hearing before every final decree of adoption. Chapter 446 also makes medical history available to a prospective parent. In certain independent adoptions, Ch. 446 provides for independent legal counsel and adoption counseling for natural parents, with court-ordered payment by the adoptive parent, and requires accounting. Chapter 446 limits dual representation of the adoptive parent and the natural parent or placement agency.

Chapter 267 bars compensation to services in connection with an agreement for custody in contemplation of adoption and extends the statute of limitations to 3 years after commission of offenses relating to illegal compensation.

Chapter 511 reduces the period in which consent for an adoption or a guardianship may be revoked.

For a child adjudicated in need of assistance, Ch. 79 allows waiver of notice about a petition for guardianship, after a good faith but unsuccessful effort to serve a parent with a show cause order. Parents are obligated to keep a current address on file with the court, and clerks of circuit courts must give the last known address to a local department of social services for notice about a petition.

Senate Bill 630, a proposal of the Conference of Circuit Judges to extend the requirement for criminal background investigations of prospective adoptive parents and to provide for payment of fees in connection therewith, failed.

Alimony

Chapter 628 prohibits an award of alimony or alimony pen-

dente lite if residence in a nursing home or other related institution is the basis for separation. Chapter 628 requires consideration of the effect of alimony on eligibility for medical assistance.

Custody, Support and Visitation

Under Ch. 386, the Attorney General may develop materials to assist the public in procedures and forms for custody, support, and visitation. Clerks of courts and designated employees may provide the materials to the public. A provision that would have required clerks to provide assistance in completion of forms was stricken prior to enactment.

Juvenile Law

Specific conditions for prehearing emergency shelter care and continued emergency detention or shelter care are imposed by Ch. 173.

Under Ch. 19, an intake officer has 25 days in which to do an inquiry and to decide on disposition of a complaint or citation, rather than the 15 and 10-plus days formerly allowed for preliminary and additional inquiries. Chapter 19 also allows interview of a child to be dispensed with if a complaint alleges a felony-type delinquent act or certain handgun violations. Demonstrated prejudice is required for dismissal for noncompliance.

Chapter 7 requires referral of a child who denies commission of a violation to a State's Attorney only if a parent or guardian refuses to withdraw consent for the child to drive or the child fails to comply with a program referral.

Chapter 301 allows restitution for counseling expenses in connection with specific delinquent acts.

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Definitions

Adoption, Guardianship

This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption, and guardianship with right to consent to long-term care short of adoption. Guardianship of incompetents are reported in "Other General".

Adult

A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal

The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.

2. De Novo—The retrial of an entire case initially tried in the District Court.

3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:

- Department of Personnel
- County Commissioner
- Department of Taxation and Assessments
- Employment Security
- Funeral Director

- Liquor License Commissioners
- Physical Therapy
- State Comptroller (Sales Tax, etc.)
- State Motor Vehicle Authority
- Supervisors of Elections
- Workmen's Compensation Commission
- Zoning Appeals
- Any other administrative body from which an appeal is authorized.

Application for Leave to Appeal

Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgment following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case

A matter having a unique docket number; includes original and reopened (post judgment) matters.

Caseload

The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile,

and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A. (Child in Need of Assistance)

Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or
2. Is not receiving ordinary and proper care and attention, and
3. The parents, guardian, or custodian are unable or unwilling to give proper care and attention.

C.I.N.S. (Child in Need of Supervision)

Refers to a child who requires guidance, treatment, or rehabilitation because of habitual truancy, ungovernableness, or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation

The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment

The act of a debtor in permitting judgment to be entered by a creditor immediately upon filing of a written statement by the creditor to the court.

Contracts

A case involving a dispute over oral or written agreements between two or more parties.

Breaches of verbal or written contracts.

Landlord/tenant appeals from District Court.

Delinquency

Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition

Entry of final judgement in a case.

District Court—Contested

Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case

Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing

The initiation of a civil action or case in the District Court. District Court criminal and motor vehicle cases are reported as "processed" rather than as "filed".

Divorce, Nullity

A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A reopened case may involve review of mat-

ters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket

Formal record of court proceedings.

Filing

Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings.

Fiscal Year

The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1991 to June 30, 1992.

Hearings

- Criminal—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

Examples of Hearings in Criminal

- Arraignment
- Discovery motion
- Guilty plea
- Motion to quash
- Motion to dismiss
- Motion for change of venue
- Motion to continue
- Motion to suppress
- Motion to sever
- Nolo contendere
- Not guilty with agreed

statement of facts

- Sentence modifications
- Violation of probation

- Civil—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Civil

- Motion to compel an answer to an interrogatory
- Motion ne recipiat
- Motion for judgment by default
- Demurrer
- Motion for summary judgment
- Motion to vacate, open, or modify confession of judgment
- Preliminary motions presented in court, including motions for continuance
- Determination of alimony pendente lite, temporary custody, etc., in a divorce case
- Contempt or modification hearings
- Juvenile—A presentation before a judge, master, or examiner on the record in the presence of a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Juvenile

- Preliminary motions presented in court
- Arraignment or preliminary inquiry
- Detention (if after filing of petition)
- Merits or adjudication
- Disposition
- Restitution

- Waiver
- Review
- Violation of probation

Indictment

The product of a grand jury proceeding against an individual.

Information

Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer-Motor Vehicle

A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer-Other (Criminal)

A request for a trial by jury in the circuit court for charges normally heard in the District Court, except traffic charges or nonsupport.

Miscellaneous Docket

Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts

Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals

An appeal of a District Court

verdict in a traffic charge.

Nolle Prosequi

A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport

A criminal case involving the charge of nonsupport.

Original Filing

See "Filing."

Other Appeals (Criminal)

An appeal of a District Court verdict except one arising from a traffic charge or nonsupport.

Other Domestic Relations

Matters related to the family other than divorce, guardianship, adoption, or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity

This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law

This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts

Personal injury and property damage cases resulting from:

- Assault and battery—an un-

lawful force to inflict bodily injury upon another.

- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity

A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case

Case in which no final disposition has occurred.

Post Conviction

Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing

The first hearing held on a case after a final judgment on the original matters has been entered.

Stet

Proceedings, are stayed; one of the ways a case may be terminated.

Termination

Same as "Disposition."

Trials

• Criminal

- Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.
- Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.

• Civil

- Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. Note: "Merits" is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that

might be considered merits in a civil case.

- Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category

A case that has been reported but not specifically identified as to case type by the reporting court.

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